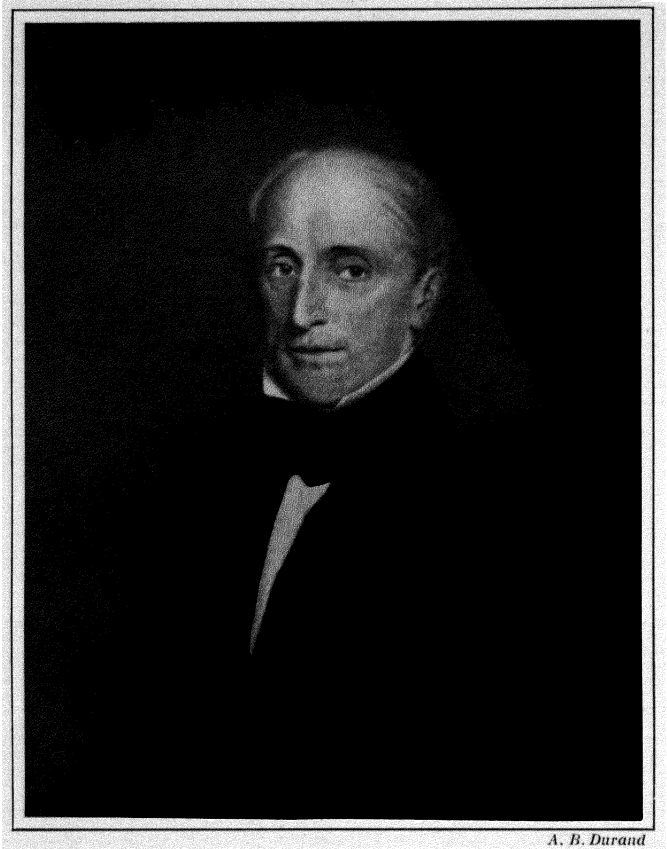
MEMORIALS OF PETER A. JAY



A. B. Durand

PETER A. JAY

1833. AGE 57

In the possession of the New York Hospital

Memorials of Peter A. Jay
Compiled for his Descendants

By his Great-grandson
John Jay

"Deo duce perseverandum"
Family Motto

Printed for Private Circulation
1929

Copyright, 1905, by
JOHN JAY

PRINTED BY G. J. THIEME, HOLLAND

CONTENTS

1776-1782

Birth and parentage of Peter A. Jay, 1. Early life at Liberty Hall, 1. Appointment of John Jay to the Spanish mission, 2. Removal of the Jay family from Rye to Fishkill, 3. John Jay and Mrs. Jay sail for Europe, 3. Little Peter engaged in study, 4. Death of Grandfather Jay, 5.

1782-1794

ohn Jay in Paris, 5. The Anglo-American Treaty concluded, 6. Like at Chaillot, 6. John Jay's family, 6. Return to America, 6. John Jay builds himself a house, 7. Becomes Secretary of Foreign Affairs, 7. Young Peter's early school-days, 8. Death of Mr. and Mrs Livingston, 8, 9. Character of Governor Livingston, 9, 10. Death of Anna Maricka Jay, 10. Peter enters Columbia College, 10. His classmates, 11. John Jay made Chief Justice of the Supreme Court of the United States, 11.

1794-1795

Jnfriendly feeling between Great Britain and the United States, 12. John Jay goes to England as Envoy Extraordinary, 12. Peter accompanies him as private secretary, 14. Peter sees many places of interest and is entertained in English houses, 14—18. Visit to Sir William Herschel, 18. His forty-foot telescope, 18. In Copley's studio, 18. Father and son meet Mr. Pitt, 18. Young Jay dines on Lord Mayor's Day with the Skinner's

Guild, 18. Signing of the Treaty, 19. Peter attends an English court of law, 19. Makes a trip into Scotland and sees the north of England, 19, 20. Is introduced to Dugald Stewart and hears him lecture, 20. Impressions of York Minster by night, 20. Peter rides to hounds, 21, 22. Sees Mrs. Siddons and Mr. Kemble at Drury Lane, 22. Father and son return to the United States, 23.

1795-1798

Peter goes to Philadelphia to settle accounts of English mission, 23. John Jay is elected Governor of New York, 24. Marriage, at the Government House, of " Kitty " Ridley to John Livingston, 24. Governor Jay declines re-election, 25. Peter commences the study of law, 25. New York excited by revolutionary doctrines, 25. Extracts from correspondence with Judge Woodward of Virginia, 26—31. Peter joins the militia, 32. Becomes president of a Literary Society, 32. Is admitted to the Bar, 32. Licensed to practise in Supreme Court of New York, 32. Receives honorary degree from Yale College, 32. Superintends survey of land, 33.

1798-1801

Yellow fever in New York City, 33, 34. Peter receives Mayor's Court License, 34. His life in town, 34. His sister Maria's marriage, 35. The Jays establish a country home, 35. Description of the Bedford place, 36. Family life at Bedford, 36. Death of Mrs. John Jay, 37. Deaths of John Jay's two brothers, Augustus and Frederick, 38. Sketch of the latter, 38, 39.

1801-1803

Peter begins the practice of law, 39. Goes abroad for his health, 39. His letter to his sister, Mrs. Banyer, 40. Extracts from his diary, 41—49. A Mediterranean cruise, 44—47. Italy, 47—52. Paris, 52, 53. The Louisiana Purchase, 53.

Peter describes the birthplace of his ancestors, 54, 55. His return to New York, 55.

1803-1807

Peter spends a winter in Bermuda, 56—57. Returns to Bedford, 57. Correspondence with Judge Territt, 58. Peter retires to Bedford, 58. Ogden Hoffman, 59. Death of Mr. P. A. Jay's brother-in-law, Goldsborough Banyer, 60.

1807-1810

Marriage of Peter A. Jay to Mary R. Clarkson, 60. Interchange of congratulatory letters between the fathers-in-law, 61—62. Birth of John Clarkson Jay, 64. Peter A. Jay becomes identified with various philanthropic and religious organizations, 64, 65. The " Trinity Church Riot," 65—66.

1810-1812

Oration on Washington, 67—69. Death of Eve, eldest child of Peter Jay and Mary Van Cortlandt, 70. Sketch of her husband, Henry Munro, 70. Removal to Pine Street, 71. Birth of a daughter to the Jays, 71. Mr. Jay nominated for Congress, 71. Elected, but election declared void, 72. Nominated again and defeated, 72. Mrs. Banyer, on the death of her father-in-law, moves to New York from Albany, 72. She moves again to Bedford, 73. Difficulties of provincial living in those days, 73—74.

1812-1815

Difficulty in investing money at this period, 74, 75. The War of 1812, 75. The Treaty of Ghent, 76. Jay takes prominent part in endeavor to establish savings-banks, 77. Legislature defeats the movement, 78. The Bank for Savings, 78. Death of Jay's blind uncle Peter, 80. Jay's first journey by steamboat, 81. Sketch of Sir James Jay, 81. His death, 82.

CONTENTS

1815-1816

Birth of a fourth child, 82. Jay becomes member of the House of Assembly, 82. Canal Navigation Bill, 83. Opposed, but finally passed, 84. Governorship offered to Mr. Jay, but declined, 85. Rufus King nominated, 86. Jay's speech, 87—92. Governor Daniel D. Tompkins re-elected, 92.

1816-1821

Slavery abolished in the State of New York, 93. Mr. Jay builds himself a house, 94, 95. Another daughter born, 95. Correspondence between Jay and Dr. Robert Hare, 95—98. Jay appointed Recorder, 99. Is succeeded by Richard Riker, 102. Testimonial from New York Bar Association on Jay's retirement from the Recordership, 102—103.

1821-1822

Revision of the Constitution of the State of New York, 104. Account of the Convention and its various acts, 104—108. Ratification of the new Constitution, 109. Jay resumes his law practice, 110. Birth of his second son, Peter Augustus Jay, 110.

1822-1825

The Rye Estate, 110, 111. Yellow fever in New York, 111. Letter of Jay to Captain White of the Royal Navy, 112—114. Visit of La Fayette to United States, 115. Death of General Clarkson, 116.

1825-1827

Life at Rye, 117—118. J. Fenimore Cooper, 119. Foundation of his story " The Spy," 119—120. Cooper goes abroad, 120. Meets Sir Walter Scott, 122. Mr. Jay has various social and philanthropic offices offered him, but accepts none, 123. Death of Governor Clinton, 124. Birth of eighth child to the Jays, 125.

CONTENTS

1827-1830

Founding of New York Law Institute Library, 125—126. Marriage of Jay's daughter Mary Rutherfurd Jay, 127. Death of John Jay, 128. A comparison of Jay and Hamilton, 129—131. Letter to J. Fenimore Cooper, 132—133. Founding of " The Club," 134—135.

1830-1832

Letters from J. Fenimore Cooper concerning political state of Europe, and various social matters there, 135—143. Mr. Jay's reply, 149—150. General Jackson's election, 150.

Letters from James I. Roosevelt, Jr., in Paris, 151—155. Harvard University bestows degree upon Mr. Jay, 155, 156. President of Public School Society, 156. Marriage of John Clarkson Jay, 156. Letter from Mr. Jay to J. Fenimore Cooper, 157—161.

1832-1833

Anti-Slavery Society represses kidnapping of negroes, 161. Peter A. Jay as churchman, 161—162. Asiatic cholera in New York, 162, 163. Jay resigns presidency of New York Hospital, 163. Correspondence following his resignation, 164—166. Jay settles boundary dispute between New York and New Jersey, 167—169. Letter from Jay to Cooper, 170—172.

1833-1838

Early railway travel, 172. Experiences of Mrs. Peter A. Jay and Mr. William Jay, 172—174. Death of Peter Jay Munro, 175. Sketch of his life, 175. Hospitality in the Jay mansion, 176. Lists of guests, 176—177. Death of Mrs. Frederick Prime, 178. The Great Fire, 178—179. Marriages of Helen and Sarah Jay, 179. Description of home at Rye, 179—180. Letter from Jay to his sister, Mrs. Banyer, in England, 180—182.

CONTENTS

1838-1840

New house at Rye finished, 182. Mrs. Jay's health grows worse, 182. The family go to Madeira, 183. The voyage, 183. Description of the home at Funchal, 183. Mrs. Jay grows stil worse, 184. Her death, 184. Mr. Jay on the people and religion of Madeira, 185. His description of the island, 186. Letters, 187—190.

1840-1842

Jay's estimate of his father's character, 190. Election of W. H. Harrison, 191. Views of Jay on the situation, 191—192. Death of the President, 192. "The Northeastern Boundary Question," 192. Jay writes to his English cousin on the subject, 193, 194. The Public School Society, 194. Contention over school funds by Protestants and Catholics, 194. Marriage of Anna Maria Jay, 195. Mr. Jay to his brother William, 195—197. Dinner to Lord Ashburton, 197. Mr. Jay invited to preside, 197—198. Lord Ashburton's speech, 199, 200.

1842-1843

Mr. Jay becomes president of the New York Historical Society, 201. A permanent home erected for the Society, 201. Jay delivers an inaugural address at Columbia, 203. A résumé of the character of Peter A. Jay, 203—206. Death of Mrs. Banyer and Miss Ann Jay, 207. Sketch of Judge William Jay, 207. His death, 208. Death of Peter A. Jay, 209. Resolutions and memorials upon the death of Mr. Jay, 211—215.

Last Will and Testament of Peter A. Jay 216

Notes 221

LIST OF ILLUSTRATIONS

PETER A. JAY. 1833. Age 57 . . . . . *Frontispiece*
In the possession of the New York Hospital.

FACING PAGE

JOHN JAY 6

Mrs. JOHN JAY 8
In the possession of Mr. Banyer Clarkson.

JOHN JAY. Circ. 1794. Age 49 20
In the possession of Dr. John C. Jay.

PETER A. JAY. 1797. Age 21 24

MARIA JAY. 1798. Age 16. Afterward Mrs. Banyer . . . 34

PETER A. JAY 60
In the possession of Mr. John Jay Pierrepont.

MATTHEW CLARKSON. 1823. Age 64 116
In the possession of the family of Mr. and Mrs. David Clarkson.

Mrs. PETER A. JAY 176

RESIDENCE AT RYE 182
In 1838 when house was finished.

PREFACE

IN the following pages little more has been attempted than to put on record such Memorials of Mr. Jay as his public services, his addresses and his correspondence furnish; and to these have been added some account of his otherwise personal and family history.

There are those who have not forgotten the refining influence of Mr. Jay's character upon the men and institutions of his own time, as well as upon those of the succeeding generations; and it was in order that still others might be brought to some extent within the sphere of that influence that the Memorials here presented have been compiled.

New York, November, 1905.

PETER A. JAY

PETER AUGUSTUS JAY was the eldest child of John Jay and Sarah Van Brugh Livingston.

He was born January 24, 1776, at "Liberty Hall," Elizabeth Town, New Jersey, the residence of his maternal grandfather, William Livingston, who later became governor of New Jersey.

In 1774 Mr. and Mrs. Jay were married in the great parlor of this hall. The property had been purchased in 1771 by Mr. Livingston and the hall was erected by him in the following year.

It was the era of the struggle for American Independence, and Mr. Livingston and his talented son-in-law were soon to have their names associated with a period as great in interest, perhaps, as any the world has evet known. The earlier marriage of the Jays had been interrupted by these troubles; soon after the wedding the young husband was attending a meeting of citizens of New York convened to consider the serious political situation.

For the next three years Mrs. Jay and her son remained with Grandfather Livingston, who became very fond of the little boy. The Hall could scarcely be said in those cheerless summers and more cheerless winters to have afforded a very

pleasant shelter, for the place attracted occasional raiding parties and almost everything that the house contained was either pillaged or destroyed. For a time the family were obliged to desert their home for a more safe retreat, while, to add to their other trials, a large reward was offered by the English for the capture of the rebel governor, whose active service caused him to be much of his time in the saddle.

At the end of these three years, Congress deeming it advisable to open negotiations with Spain, and determined on despatching thither a minister plenipotentiary, selected John Jay for this important mission. With Jay was to go his wife, to the great distraction of Governor and Mrs. Livingston, who were given no chance to bid their daughter good-by. Little Peter was to be left at the Hall under the immediate care of his eldest aunt, Susannah, who in after years became Mrs. Symmes. Susannah was a great wit and very clever, as were all her sisters.

The advance of the British into Westchester County and the depredations of the Tories and the cow-boys determined Peter Jay, the paternal grandfather of young Peter, to remove his family from the Homestead at Rye, Westchester County, to Fishkill-on-the-Hudson. Mr. Jay, having acquired a competency as a merchant, had retired in 1745 from business in the city, and purchased a country place at Rye for the benefit of his children, Peter and Anna Maricka, both of whom were deprived of their sight in infancy by the smallpox. Here John Jay spent his childhood, going to school at New Rochelle.

When Peter Jay removed his family from Rye to Fishkill,

of his ten children three had died in infancy: James, Frederick, and Mary; three had married: John, Frederick, and Eve; thus leaving four at home: Augustus, the eldest son, Sir James, and the two blind children, Peter and Anna Maricka.

It was on the 19th or 20th of October, 1776, that the family left Rye. On reaching Fishkill, they occupied a house which belonged to Dr. Van Wyck. This house is described as standing on a gentle elevation in the midst of a beautiful region; near by flowed the Wiccopee, a mountain stream making its way among green meadows. One night in the month of April, during the residence here of the Jays, the cow-boys crossed the mountains and stole from the house a large quantity of silver plate and money. The tramp of their horses as they came over the bridge was long afterward remembered. It was in this house that Mr. Peter Jay's wife, Mary Van Cortlandt, a daughter of Jacobus Van Cortlandt and Eva Philipse, died on April 17, 1777. Here, too, on the eve of his appointed mission to Spain, John Jay parted from his father, never to see him again.

Mr. Jay and his wife embarked from Chester, below Philadelphia, October 26, 1779, on the Continental frigate *Confederacy*. They were to proceed to Madrid by way of Paris. In the party of the Envoy were Mrs. Livingston's brother, Brockholst Livingston, as Jay's private secretary, and the Hon. William Carmichael as Secretary of Legation. Violent storms disabled the vessel; being dismantled she split her rudder on the 7th of November, and on the 18th of December put into Martinico, whence the voyage was continued in a French ship, the *Aurora*. It was not until the 22d of January,

1780, that the American party arrived at Cadiz. It is also related that before reaching the Spanish coast, they narrowly escaped capture by a fleet of six English ships of the line.

The mission required a sojourn in both Spain and France. Meanwhile through letters from home the Jays were kept informed of the welfare and progress of young Peter. Now and then it was reported that he had been taken to Poughkeepsie, whither the family had removed from Fishkill, to see his grandfather Jay, with whom he soon became as great a favorite as with his grandfather Livingston. One of the letters states that, except for a slight defect in his utterance, he could speak and read as well as any boy of six years, and still another letter, written a year later, says: " He is very ambitious to write as well as his aunt Susan, his instructress "—and the writer continues, " Peter looking over his copy for the day, ' commend virtuous deeds,' I must do more than that," said the young student, " I must imitate them."

When the family came to Poughkeepsie, they resided with Mr. Frederick Jay, better known among his intimate friends, as " Fady," a brother of John. Little Peter was always a welcome visitor there. In writing to him, in December, 1783, his grandfather Livingston said,—" My dear Peter Jay,—I hear that when you were in the church in New York, and the minister prayed for King George, that you shooked your head, as much as to say, you did not like it. It was right in those people to pray for their King, because, he is *their* King, but you not thinking of that, and being a good Whig, have got great honor by shaking your head, and grandpapa is always pleased when his dear little Peter gets honor."

Later letters carried across the sea the sad intelligence of the death of Mr. Peter Jay at Poughkeepsie. In his letter Frederick writes: "It gives me great pain to inform you that it pleased God to take him from us on the morning of the 17th inst. (April, 1782) and was yesterday interred (April 19) in the vault of Gysbert Schenck, Esq., at Fishkill. It is very remarkable that he expired on the same day and month and the very hour that our poor mother did five years before." Peter Jay was eighty years of age at the time of his death. He was the only son of Augustus Jay, the Huguenot, and Anna Maria Bayard. Mrs. Jay was the daughter of Balthazar Bayard and granddaughter of Colonel Nicholas Bayard, of Alphen, near Leyden, Holland;—the latter married a sister of Governor Stuyvesant. Peter Jay was the sole survivor of his father's family. Judith, his eldest sister, had married Cornelius J. Van Horne. Mary married Peter Vallete, and Frances married Frederick Van Cortlandt. The death, in her seventy-ninth year, of the last of these three sisters, occurred at the Van Cortlandt Manor House, Lower Yonkers, eighteen months before her brother's death. The only other member of the family was Ann, the youngest, who died in infancy. The estate at Rye now became the property of Peter's son Peter, the younger of the two blind children.

On the 23d June, 1782, John Jay arrived in Paris, where he had been appointed to act in conjunction with Franklin, Adams, Laurens, and Jefferson, in negotiating, under the advice and approval of the French government, the definitive treaty of peace with England. Of these four only Franklin was now in Paris. Laurens was a prisoner in the Tower of

London and Jefferson was in America. Before long, however, Adams returned from Holland and the negotiations were begun, being continued with more or less interruption until the 3d September, when the Provisional Articles were adopted and signed as the final treaty between England and the United States. In Adams's diary is found this item: "The French call me 'Le Washington de la Negociation,' a very flattering compliment indeed, to which I have no right, but sincerely think it belongs to Mr. Jay."

In the autumn Mr. Jay took a house at Chaillot, near Passy, and there Mrs. Jay and the younger children spent several months while Jay himself went to England to try the waters of Bath for his health. About this time Governor Livingston writes to Mrs. Jay: "My sweet little Peter is now standing at my elbow. He is really and without flattery one of the handsomest boys in the country."

Three daughters had been born to them on the foreign soil,—Susan, Maria, and Ann. Susan, an infant, died at Madrid, in 1780, and was buried in a vault at the Flemish chapel in that city. Maria also was born in Spain, February 20, 1782, and the younger, Ann, in France, August 13, 1783. With the Spanish birthright of the elder of these two daughters there were certainly no ancestral sympathies, but the birth of the younger in the home of the Huguenots must have awakened in the mind of Mr. Jay vivid memories of the home from which his ancestors had been driven into exile just a century before.

After an absence of five years, the work of the mission being accomplished, the Jay family returned home. They

B. B. Ellis

His Excellency **JOHN JAY** *President of Congress & Minister Plenipotentiary from Congress at Madrid.*

Pub.d May 15.th 1783. by R. Wilkinson N.o 58 Cornhill London

embarked from Dover in a vessel which arrived at New York, July 24, 1784. John Jay received a warm welcome on his return. He was presented by the city fathers with an address and the freedom of the city in a golden box—" as a pledge of our affection and of our sincere wishes for your happiness."

Soon after his arrival Mr. Jay began to build for himself a house which was then known as Number 8 Broadway. It stood on the east side, a little south of the street now known as Exchange Place.

John Quincy Adams tells us, " When I first set foot in New York, in 1785, the present great city of the Empire State had but 18,000 inhabitants, and while I tarried at John Jay's, that gentleman was laying the foundation of a house in Broadway at a distance of a quarter of a mile from any other dwelling."

From a conversation referring to the early history of the city, reported in " The Talisman " for 1829—30, between Mr. Gulian Verplanck and Mons. Villecour, this house is described as " a square, three-story house of hewn stone, as substantially built within as without, durable, spacious, and commodious; and, like the principles of the builder, always useful and excellent, whether in or out of fashion. . . ." " No remaining object," said Mons. Villecour, " brings Mr. Jay to my mind so strongly as the square pew in Trinity Church, about the center of the north side of the north aisle. . . . That pew was the scene of his regular, sober, unostentatious devotion and I never look at it without a feeling of veneration."

Mr. Jay was now Secretary for Foreign Affairs, an office to which he had been appointed by Congress a short time

before he came back from England, and the duties of which he continued to discharge until Jefferson's return from France in 1790.

In the " stone house," Mrs. Jay, who, by natural graces and knowledge of the world, was so admirably fitted for social life, entertained at her table her numerous personal friends, American statesmen and distinguished foreigners.

We have no authentic information about young Peter during the interval which elapsed between the return of his parents from Europe, when he was eight years old, and his matriculation at Columbia College—an interval which embraced a period of six years, from 1784 to 1790. Previous to this time he had been at school in Elizabeth Town and in Poughkeepsie. His early diligence in study and his ambition to excel can leave little doubt that the same assiduity and the same desire to gain success were continued at some school in the city, the name of which unfortunately has not come down to us.

When eleven years old, Peter received from his ever faithful and devoted grandfather, Governor Livingston, a letter expressing the wish that Peter would send to him " two lines in Latin, to be of your own composition, without the least consultation with any one else "; and the governor sends love to his Spanish and French granddaughters. In another letter to Peter his grandfather tells him to " honor your parents. For, thank Heaven, we have no king to honor,—love the United States and your books."

The deaths of Mr. and Mrs. Livingston brought great sorrow to the Jays. Mrs. Livingston's death occurred on the

Daniel Huntington

MRS. JOHN JAY

In the possession of Mr Banyer Clarkson

love of religion which unostentatiously, but intimately was incorporated with his whole character. The period of his death was fortunate for himself: He lived long enough to see the last seal set to the independence of the country in its new constitution, and the guidance of its energies in the hands of the individual whom he most esteemed. He did not live to see the unprecedented violence of that storm which so long convulsed the republic, rending asunder old friendships, uprooting reputations apparently the best founded and which would probably have swept *him* from the eminence that, as it was, he occupied till the time of his death. He died in possession of the honors he had received; all it was in the power of the State to bestow, and with a character unsullied, even by the breath of faction."

The " New York Daily Advertiser " of the following year (September 9, 1791) contains this notice: " On Sunday evening last (Sept. 4) departed this life, in the 54th year of her age, at her brother Peter Jay's seat at Rye, Miss Anna Maricka Jay, a lady whose excellent understanding and uniform beneficence and piety rendered her very estimable. Although she enjoyed a handsome income, far beyond her wants and was frugal: yet she never added to her estate, but constantly employed the residue in doing good. Among other legacies dictated by humanity and benevolence, she has bequeathed one hundred pounds to the Episcopal Church at Rye."

Young Peter Jay was now to enter, at the early age of fourteen, Columbia College. His father had been a graduate of the same college, under its former name of King's College, and in 1764 delivered the Latin Salutatory address, which

was then regarded as the highest collegiate honor. Among the classmates of the younger Jay in his Junior year was Peter G. Stuyvesant, a lifelong and intimate friend, and Cyrus King, member of Congress; and in the classes immediately below him were Daniel D. Tompkins, later Governor of New York and Vice-President of the United States, and Edward P. Livingston, of Clermont, subsequently Lieutenant-Governor of New York. During Jay's freshman year, among the students in the Junior class was John Randolph of Mattoax, Virginia, better known afterward as Randolph of Roanoke. William Samuel Johnson, son of the first president of King's College, was at this time president of Columbia —being the first one to hold that position after the Revolutionary War.

From 1789 to 1795 John Jay was Chief Justice of the Supreme Court of the United States. He writes in 1791 to his son Peter in college: "You have read the ancient history; now, therefore, is the time to read more in detail the histories of the great men that have figured in it. Among biographers, Plutarch is certainly entitled to the first place. To enjoy the experiences of others without paying the price which it often costs them, is pleasant as well as profitable. Manhood is the same in all ages, however diversified by color, manners, or customs. To regulate our conduct wisely relative to men is the most difficult task we have to perform in the course of our lives. To know them is necessary, but not easy. History will teach us much, but unremitted observation more; both assist each other. Habituate yourself to trace actions up to their motives."

As a lad, Peter had shown talent in drawing and painting, some early sketches by him being still extant, and his father, evidently to encourage him to develop this taste, writes to him at Rye from Boston, while on circuit: "Your mama mentions your having gone to Rye and that the family are well. . . . Remember me to your uncle and aunt. You have now a fine opportunity to try your hand at Landscape, especially if you visit the rocks on the bank by the waterside when the tide is up."

The theatre of war had now changed. The struggle with the American Colonies was at an end and for a time quiet prevailed in Europe. There were mutterings, however, of a coming storm which in a few years would burst in the French Revolution. Irritation and agitation had also broken out between Great Britain and the United States;—the complaints which invited consideration were many and complicated. To harmonize the unfriendly feeling and to adjust the differences which were assuming a serious aspect required the attention of this government. Mr. Jay in a letter to his wife dated Philadelphia, April 15, 1794, writes: "I expect, my dear Sally, to see you sooner than we expected. There is here a serious determination to send me to England, if possible to avert a war. Nothing can be much more distant from every wish on my own account. I feel the impulse of duty strongly and it is probable that if on the investigation I am now making, my mind should be convinced that it is my duty to go, you will join with me in thinking that in an occasion so important, I ought to follow its dictates and commit myself to the care and kindness of that Providence in which

we have both the highest reason to repose the most absolute confidence."

His commission as Envoy Extraordinary follows in a day or two. Again writing to Mrs. Jay, he says: "Your own feelings will best suggest an idea of mine. God's will be done—in him I confide: do the like—any other philosophy applicable to this occasion is delusive. Away with it. Your indisposition affects me. Resist despondency—hope for the best."

In reply to his letters Mrs. Jay writes to her husband:

"NEW YORK, 22 April, 1794.

"*My dear Mr. Jay:*

"Yesterday I received your two kind letters of Saturday and Sunday. I do, indeed, judge of your feelings by my own and for that reason forbore writing while under the first impression of surprise and grief.

"Your superiority in fortitude as well as every other virtue I am aware of: yet I know too well your tenderness for your family to doubt the pangs of separation. Your own conflicts are sufficient: they need not be augmented by the addition of mine. Never was I more sensible of the absolute ascendency you have over my heart. When, almost in despair, I renounced the hope of domestic bliss, your image in my heart seemed to upbraid me with adding to your trials. That idea alone roused me from my despondency. I resumed the charge of my family and even dare hope that, by your example, I shall be enabled to look up to that Divine Protector from whom we have indeed experienced the most merciful guardianship.

" The children continue well. They were exceedingly affected when they received the tidings and entreated me to endeavor to dissuade you from accepting an appointment that subjects us to so painful a separation.

" Farewell, my best beloved. Your wife till death, and after that a ministering spirit,

" SARAH JAY."

John Jay took with him as private secretary his son Peter, who had just received his degree at Columbia. They sailed on the 12th of May, 1794, in the ship *Ohio*, arriving at Falmouth on the 8th of June. Mr. Jay's secretary, Trumbull, the artist, wrote that they must have been near, almost within hearing, of the decisive naval battle between the British and French fleet which was fought on that day. The English in this year had met with little success on land, but had been triumphant at sea.

On arrival at Falmouth they were met by the American consul, Mr. Fox, and for the next few pages we shall have an opportunity of learning from a Journal kept by the younger Jay, now a lad of eighteen, of his experience and the impressions he received during a visit to England and Scotland. Among the first objects which arrested the young man's attention on his way up to London in the mail-coach from Falmouth, was an old castle at Launceston which, he says, " was formerly of great extent and which before the invention of firearms must have been as impregnable as Gibraltar is now." Then he adds, " almost every view of this venerable ruin is singularly picturesque,—the immense elevation of the

works, the walls covered with ivy and the contrast they form with the adjacent town and country around it altogether formed a scene which was to me as novel as it was delightful." Of Taunton on the same route he relates, " The country round Taunton, especially on this side, is beautiful beyond expression—formed by nature in gentle slopes and extensive vales and in the highest possible stage of cultivation—the eye dwells upon it with pleasure and the more so since it is the evidence of thrift and prosperity." Continuing his journey, he visits the Cathedral at Exeter and at length reaches Wells. At the latter place he seemed lost in admiration of its cathedral. He calls it " a magnificent building " and is surprised " how these people whom we call ignorant and who certainly were among the most contemptible of statuaries could give that light and finished appearance to stone which baffles the skill of the modern artist." He alludes, at the same time, to " the vast size of the building, the massiveness and yet light appearance of the columns, the loftiness of the arches. The knowledge of their antiquity and the idea that you are trampling upon the dust of kings, of heroes, and of saints conspire to diffuse a solemn stillness over the soul and fill it with veneration and reverence, while the mouldering monuments of men who were once illustrious and reverenced, but whose names are now preserved by mere inscriptions on decaying stones tell that even Fame must die." He pursues his journey to Bath, thence to Windsor, and arrives at the Bath Hotel in London on the 15th of June, having travelled with his father from Falmouth about three hundred miles. At Bath they were welcomed by the American minister, Mr. Thomas

Pinckney, with whom they dined on reaching London the next day. The fashionable hour for dinner at that time in London, says Jay, was half-past five or six. On the following day he, through the courtesy of Mr. Paradise, had the opportunity of being present at one of the sessions of the trial of Warren Hastings. Jay tells us in his Journal that "he had the pleasure of hearing Mr. Edmund Burke conclude his argument at this trial, the most remarkable which has ever taken place in the English nation"—and in continuation he adds, "it has already lasted seven years, and as the Lords have determined to take time to consider before they pronounce judgment, its final close is still at a distance." "Mr. Burke," says Jay, "was vastly eloquent, but not sufficiently so to awaken the attention of their Lordships, who seemed far more inattentive than the surrounding audience."

In the meantime the American Envoy Extraordinary had removed his lodgings from the Bath Hotel to the Royal Hotel, from which he sends the following letter to Lord Grenville:

"PALL MALL, HOTEL ROYAL,

"June 15, 1794.

"*My Lord:*

"I arrived here this morning. The journey has given me some health and much pleasure, nothing having occurred on the road to induce me to wish it shorter. Col. Trumbull does me the favor of accompanying me as secretary, and I have brought with me a son who I am anxious should form a right estimate of whatever may be interesting to our coun-

try. Will you be so obliging, my Lord, as to permit me to present them to you and to inform me of the time when it will be most agreeable to your Lordship that I should wait upon you and assure you of the respect with which I have the honor to be, my Lord, your Lordship's most obedient and most humble servant,

" JOHN JAY."

By appointment, on the 18th of June, Mr. Jay, his son, and the Secretary, Mr. Trumbull, were introduced by Mr. Pinckney to Lord Grenville, the Foreign Secretary. Upon his interview with Lord Grenville, Jay suggested that the subject which invited discussion should not be regarded as a trial of diplomatic fencing, but a solemn question of peace or war between two peoples in whose veins flowed the blood of a common ancestry. " Happily," says a writer, " for America, for England, for the world, we may say, not only did Jay carry with him that spirit into the negotiation, but in the British secretary, Lord Grenville, found a man of congenial disposition."

On the day following his introduction to Lord Grenville, young Jay dined with Mr. Church in company with Mr. Charles James Fox, of whom Jay writes, " this gentleman, though so highly celebrated, has certainly not the appearance of either talent or gentility."

Numerous breakfasts and dinners followed during the stay of Peter and his father in London, at which his father was sometimes guest, sometimes host, and young Jay almost always one of the company. In this way the latter made the

acquaintance of many of the most eminent men in the kingdom, both in church and state, as well as of representative members of the British aristocracy.

On the 2d of July John Jay had an audience with the King (George III) and on the next day with the Queen.

"I began to read Blackstone," was Peter's record for the 9th of July.

The public interest taken in Sir William Herschel's great telescope attracted the attention of the Jays, and they readily accepted an invitation from Lord Grenville to visit the astronomer. Jay described the instrument as forty feet long and five feet in diameter. He says, "we actually walked through it." Through the power of this telescope, which was only finished in 1789, Herschel made men realize as they had never realized before, the immensity of the universe. Early in the following month father and son dined with the Lord Chancellor at Hampstead and here met Mr. Pitt, Mr. Windham, the Master of the Rolls, the Advocate-General, and Lord Mansfield. At Mr. Copley's a few days later, they saw on the easel of the artist an unfinished portrait of Charles the First. This picture and the Gibraltar, by the same artist, at the Guildhall, were much admired by young Jay. It was also his good fortune to be present at the Royal Academy when Benjamin West, as president,—having succeeded Sir Joshua Reynolds,—delivered the Biennial Discourse.

We read next in the Journal that young Jay had accepted an invitation to dinner on Lord Mayor's Day with the Skinners Company, one of the trade companies or guilds, many of them of very ancient date, at which some two or three

hundred guests were present. Toasts followed the dinner, and all standing and with three cheers drank to the sentiment, " Prosperity to the United States of America and to Mr. Jay, their minister." On this occasion Peter's father dined at the Lord Mayor's.

The nineteenth of November, 1794, witnessed the signing of " The Treaty of Amity, Commerce and Navigation " between Great Britain and the United States, by John Jay and Lord Grenville.

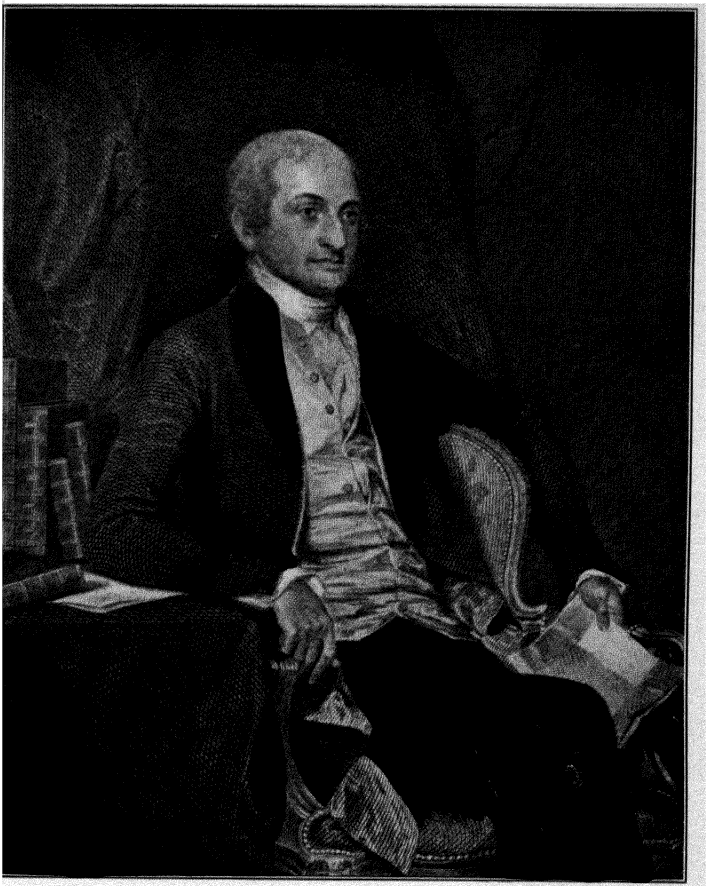
Following the Journal, we find that in this same month took place at the Old Bailey the trial of John Horne Tooke for high treason, and it was a source of much regret to Peter that the acceptance of a dinner invitation denied him the pleasure of hearing Erskine in his opening speech for the defence. He was able, however, to be present at the trial afterward, and was much impressed with the conduct of the court and of the counsel on both sides, which he describes as in the highest degree patient, candid and impartial. Of the counsel, he says more particularly, " they were all men of ability and eloquence, particularly Erskine, but none of them orators as great as I had expected, or the superiors of Burr and Harrison of New York." An opportunity now occurred which must have offered much pleasure to young Jay, namely: to make a visit to Edinburgh. He started in the mail-coach on the 12th of December, leaving his father in London. On the following day he arrived at York, and spent the next day, Sunday, in that city. An entry in his account-book reads, " Paid for seat in mail coach to York 197 miles, £3. 13. 6." He tells us that the Minster was the noblest Gothic Cathedral

he had yet seen. "I really think it more elegant," he continued, "that is to say more suitable to the purpose for which it was founded, than S. Paul's, which is much larger." In resuming now his journey he exchanges the mail-coach for a post-chaise.

Durham Cathedral in his view was inferior to that of York. At Alnwick he regretted he had not the time to visit the modern castle of the Northumberlands and he added, "though I am exceedingly fond of Gothic buildings, when really antique, yet I think it is as absurd to rear edifices in the present day to resemble ancient structures, as it would be to wear the dress of our ancestors who built them. Indeed this sort of architecture owes much of its effect to the ideas which it conveys of extreme antiquity." He arrived at Edinburgh on the 17th of December. The beauty of the new part of the town immediately attracted his attention—as well as the charming view to be obtained in walking around Calton Hill. At the University, where the honorary degree of Doctor of Laws had been conferred on his father in 1792, young Jay was introduced to Dugald Stewart, at that time professor of moral philosophy, and to Doctor Playfair, professor of mathematics.

Three hundred and fifty students attended Mr. Stewart's lectures. His eloquence much impressed Jay, who made one of Mr. Stewart's guests at dinner a few days later.

On his return journey to London, he again rested at York, and visited the Minster by night. He writes: "I found it lighted with about a dozen candles;—the effect of this partial and faint illumination was very grand. The immense masses



Stuart and Trumbull

JOHN JAY

CIRC. 1794. AGE 49

In the possession of Dr. John C. Jay

of shade, the vast and gloomy arches, the indistinct view of crowded and enormous columns, the solemn stillness of all around and the hollow echo of footsteps which alone disturbed the silence of the place, all conspired to impress one's mind with sentiments of veneration and awe." Leaving York, he was back again in London on the last day of the year. The Lord Chancellor, Lord Grenville, Lord Amherst and a number of the other Cabinet Ministers dined with John Jay soon after his son's return from Scotland, and on the following day they both breakfasted with the Marquis of Lansdowne; a few days afterward the Marquis invited them to dinner. Here they found the library very elegant, and the books and manuscripts invaluable.

Two other incidents of travel remain to be told before we close these extracts from young Jay's Journal. The one gave him an opportunity of testing his skill in riding to hounds. It was through the courtesy of Sir Clement and Lady Cottrell that this pleasure was afforded the youth. The account reads: "This morning"—it was the 11th of February—"though the weather was very unfavorable Sir Clement determined that we should hunt the hare—we accordingly went out with his harriers; I was well mounted. About three miles from the house the hounds were thrown off and in a few minutes found and instantly killed, or, as the huntsmen call it, 'chopt' a hare. Thus disappointed in our sport at this place, we went some miles further where another hare was soon started and the chase began. I was not a little rejoiced to find that it was not made a point of honor to leap over gates which could be easily opened, and as my horse was an old fox hunter,

and perfectly accustomed to the sport, I had very little difficulty in keeping up, and where I was obliged to leap over a hedge or a ditch (the last of which often occurred), he carried me with more ease than I thought possible. After three or four hours spent in the course the hare unfortunately crossed the track of another hare which was hunted by the Duke of Marlborough's hounds, and after a great many fruitless efforts to regain the right track, we were obliged to give it up and return."

Jay had been a guest at the home of Sir Clement, whom he left, he says, with great regret. His family had shared in the dangers and exile of Charles II, and were restored to their possessions at the same time with the King.

The other incident was of a dramatic nature. At the Drury Lane he had the inestimable privilege of seeing Mrs. Siddons and Mr. Kemble in the " Merchant of Venice." Mr. Kemble as *Shylock* elicited Jay's admiration, while of Mrs. Siddons as *Portia* he writes: " I do not think it in the power of eloquence to exceed her delivery of the speech in praise of mercy."

The purpose of the Commission having been accomplished, the Jays prepared to return home. Numerous and adverse were many of the opinions which the treaty evoked when at a later date it was published. Pellew well says in his life of Jay, " it is significantly admitted by the latest biographer of the democratic hero, Andrew Jackson, that Jay's Treaty was a masterpiece of diplomacy considering the time and the circumstances of this country." Its accomplishment involved much labor and anxiety, and as Jay wrote to the Secretary of

State, " they who have levelled uneven ground know how little of the work afterwards appears."

The Jays sailed for home on April 12, 1795, in the *Severn* from Bristol, and after a voyage during which it rained for thirty-two consecutive days, they landed in New York on the 28th of May in the presence of a large concourse of the citizens assembled at the Battery to welcome their new Governor, whose election, by a great majority, had taken place only two days before his arrival, and to hail the return of the Envoy to his country. The crowd attended him to his dwelling amid the ringing of bells and firing of cannon.

And now all the family were again gathered in the Broadway house. Only one death had occurred among the children—Susan, the infant who died at Madrid. The family now consisted of Peter Augustus; William, born June 16, 1789; two daughters, Maria and Ann, already mentioned; and Sarah Louisa, born February 20, 1792. All survived Mr. Jay but his wife, and the youngest daughter who never married.

The following autumn young Jay went to Philadelphia to settle the accounts of his father's mission to England. On the 20th of November, 1795, he set out in the stage-coach, stopping at Princeton and Trenton on the way. That he combined pleasure with business and was entertained in a cordial manner at the Capital, the following brief entries in his note-book show:

" Sunday 22—not finding Mr. Woolcot, left the letter.

" Monday 23—Saw Mrs. Woolcot. Waited on President U. S. (John Adams), and dined with him.

" Tuesday 24—Dined Mr. Chew—Wednesday 25—dined

St Memin

PETER A JAY

1797. AGE 21

Governor Jay's term expired on the 1st of July, 1801, but he refused the reëlection that was offered him, for he was making plans, in which he had the assistance of his son Peter, to seek rest and retirement in the country. A paragraph written to his wife when about retiring from the position he was holding well discloses the nature of the man:

" A few years," he writes, " will put us all in the dust and then it will be of more importance to me to have governed myself than to have governed a State."

Soon after his return from Europe young Jay commenced his legal studies in the office of Peter Jay Munro, with whom he subsequently became associated in business. Munro and Jay were first cousins. During the absence of the family at Albany, Jay was in lodgings in Broadway at a Mr. West's, where occasionally he had the pleasure of meeting his old friend and his father's former Secretary, Colonel Trumbull.

The city, which had scarcely recovered from the paralyzed condition in which it was left by its recent occupation by the British and the ravages of fire, was now excited by revolutionary doctrines promulgated among the people. The condition of affairs in Europe, particularly the outbreak of the French Revolution and the subsequent Reign of Terror, had created a state of unrest here, inflaming hatred between the political parties not only of the city and State but throughout the country. The discussion of this state of things is evidently the occasion of the following correspondence between Mr. Jay, now twenty-two years of age, and his friend, Mr. Woodward, a judge of Virginia:

" ROCKBRIDGE COUNTY, VIRGINIA,

" March 10, 1798.

" *Sir:*

" . . . Having but arrived in the last week and the present being the first moment of which I could avail myself to acquaint you with my return, I shall be happy if by an early acquiescence with the proposal of a renovation of our former and by me never to be forgotten intimacy I shall impart a conviction of the value which I affix to your friendship.

" Since I had the pleasure of seeing you (1793) I have been gratified with a second conference both with Mr. Jefferson at Philadelphia and with General Washington at Mount Vernon. The former displayed a frankness in his conversation in political topics which I did not expect and which was extremely engaging. I still delight to contemplate him as a man of virtue, and nothing would give me greater pleasure than to find the same impression still left on your mind. I am afraid, however, that from real or imaginary causes the esteem which he once claimed has been much diminished in the heart of many of his friends in Northern and Eastern States. I am certain that I observed myself a change there too great to be accounted for by any causes that are obvious to me. The uncomfortable prospect is still held out of a want of harmony in our public councils, an evil, the continuance of which I dread.

" I am not a convert to the opinion that parties are either necessary or salutary, in our government.

" Where the rights of the people are insecure and principles are still doubtful, they may be found advantageous, but

where the fundamental maxims of a government have attained that stability and apparently general acquiescence which seem to characterize those of the people of America, what purpose can the animosities of party answer, but, to inflame the minds of the people and to weaken the energy of the government. It was happy for the latter character that such a uniform veneration and confidence was attached to his administration as ensured the Union and tranquillity of the United States at a period when they were most precarious, and I shall never consider them again secure but with the extinction and absence of that violence of party spirit which has so much and so long endangered the existence of the government and that acrimony of contest which has embittered the depositaries of its authority. I called likewise on Mr. James Madison of Orange County, who once sustained so conspicuous a character in the theatre of American politics. It was not until the 28th of February that I reached my own residence after these protracted detentions. My first duty has been to apprise you of my arrival and to claim the favor of as early a communication from you as more important avocations will permit.

" With sentiments of unalterable regard,

" Your friend and humble serv't,

" E. WOODWARD.

" PETER AUGUSTUS JAY, Esq.,

" Broadway, New York."

" NEW YORK, March 20, 1798.

" *Dear Sir:*

" . . . Our State Legislature has been and still is exceedingly occupied, indeed they have passed so many laws that I am induced to fear they have legislated too much to have legislated well. Though more equally divided with respect to parties than of late has been usual, their session has been remarkably peaceable and calm. . . . The late instances of indecency in Congress are here as they probably are with you, frequent topics of conversation, and it is generally and greatly regretted that party spirit, always so violent, should be rendered still more virulent by personal insult—that circumstances have happened so indecorous in themselves, disrespectful to the house, and disreputable to the nation—and that expressions continue to be used which instead of conciliating, excite irritation, instead of producing unanimity, inflame animosity. That such behavior should be tolerated and such divisions exist in such a body and at such a period is, I think, no evidence that the Age of Reason has arrived. Standing as we are on the brink of a war, threatened from without, and convulsed among ourselves, the malignant attacks which are daily made upon our government by those who are chosen to be its guardians, are new and unfortunate proofs of the frailty of the human mind, or, what is still worse, of the corruption of the human heart.

" But I find I am entering with vehemence into political disquisition. The ardor of youth is always too apt to seduce us from more pleasing, but, less illustrious pursuits, and this is particularly true in the present moment of universal agi-

tation when the shouts of the Parisians, like the blasts of Alecto's trumpet, have filled all Europe with discord and war, have even been heard over the ocean and echoed from the Alleghany Mountains.

" Your sincere friend,

" PETER AUGUSTUS JAY.

" E. WOODWARD, Esq.,

" Rockbridge County, Virginia."

" NEW YORK, March 28, 1798.

" *Dear Sir:*

" You are not mistaken when you suppose the character of Mr. Jefferson has greatly depreciated in this part of the Union. He is suspected by many of designs inimical to the independence and happiness of his country and of being the author and secret conductor of a system which if successful cannot fail of reducing it to subjection, or at least dependence on the will of a foreign nation. Of a nation, too, which in its conduct towards others seems ever carefully to have avoided all that was generous or friendly, which despises the obligations of morality and honor, sets at defiance the present and future opinions of the world and posterity and sacrifices everything to its insatiable appetite for aggrandizement and universal domination. What degree of credit these suspicions deserve, or how far they are countenanced by the many contradictory and mysterious passages which are supposed to exist in this gentleman's public conduct, I will not pretend to decide—certain it is that they exist and that they have rendered him in a high degree unpopular—they are of so criminal a nature that for the honor of my country I most sincerely

hope they may prove unfounded. The reputation of a nation like that of a family depends greatly upon the good or ill fame of the principal persons who compose it, and on this account also I should rejoice as much as yourself to find every stain removed from a character which has added so much splendor to the American name and which, should it be foully tarnished, would affix to it so great a blot. The period, however, seems fast arriving when every doubt must be dispelled and the integrity or depravity of the personage in question forever established. If in that period he shall oppose the artful yet open and contemptuous violence of France with as much decision as he formerly combatted the insidious machination of Britain; if he shall appear to be guided in his conduct towards our country by no motives of envy, hatred, or malice, or towards the other by love, favor, affection, or hope of reward; if he shall sincerely defend the Constitution he has sworn to support; if, in fine, he shall prove to be a true and independent American, all suspicions will be banished and he will acquire the esteem and confidence of his northern, as you suppose he already enjoys that of his southern, countrymen.

" This period of which I have spoken must excite in every bosom anxiety and apprehension. If in the war with France which seems to be impending, the Democratic party still continues to oppose every measure of the government to distract its counsels and to enfeeble its acts, if they still endeavor to divide the people and to alienate their affections from the officers they have chosen, in this case our situation will be lamentable indeed. We may then behold some new Buonaparte parcelling out the continent into small Republics, ap-

pointing Directors, organizing Insurrections, instituting Revolutionary Tribunals, and perhaps giving countenance to confiscations, proscriptions and massacres. When once we are separated into independent States, it will be to the interest of European nations forever to prevent a reunion. To destroy our importance and influence abroad they will probably employ the same policy towards us which the Persians formerly observed with respect to the Greeks, by continually fermenting internal contentions and wars.

"If, on the contrary, either from the good sense of our citizens, or their indignation at the injuries they have suffered, we shall happily unite in defence of our independence, we shall then, probably, divested of our foreign prejudices and peculiarities, acquire a national character and a national pride, —acquisitions in my esteem of inestimable value.

"You see I am again running into politics—indeed, it is almost impossible to avoid them when objects most interesting and immense are rapidly passing before our eyes. It is difficult to withdraw from them our attention and fix it upon familiar topics. When the weather is fair and the sky serene we amuse ourselves with observing the flowers that adorn our path, but when the distant thunder foretells an approaching storm, we can attend to nothing but the course of the wind, the blackness of the clouds and the nearest place that can afford shelter . . .

"I am with esteem, your obed. serv't,

"PETER AUGUSTUS JAY.

"E. WOODWARD, Esq.,

"Rockbridge County, Virginia."

In this condition of affairs it is not surprising to learn that Jay took out a commission as Ensign of a Company in the Third Regiment of Militia in the city and county of New York, of which Jacob Morton was Lieutenant-Colonel Commandant. The commission bears the date April 11, 1796, and passed the Secretary's office on April 20. Subsequently he gained a Captaincy and had in his volunteer company as first lieutenant, his lifelong friend, Mr. David S. Jones.

Jay was now President of a Literary Society; it apparently had no particular designation, but it included among its members such well-known names as William A. Duer, Philip Church, Gouverneur Ogden, David S. Jones, William Bard, Beverley Robinson, John Duer, and the first Philip Hamilton.

On the 18th of December, 1797, he was admitted to practice as an attorney in the Court of Common Pleas for Westchester County, at White Plains, and on the 19th of August, 1798, he was licensed to practise in the Supreme Court of the State of New York. In this summer he also received from Yale the honorary degree of " Master of Arts." The latter bears the signature of Timothy Dwight, President.

At the outset of his professional career it must have been a great advantage to this young man to have the advice and guidance of his distinguished father. In August, 1798, John Jay writes to him from Albany: " I am so pressed by applications, etc., that I can hardly find a leisure moment to write to you. Amoung the reasons which oppose your coming here soon, the circumstances of the Westchester Court appear to me to have weight, for whether you take license in the Mayor's Court a few weeks sooner or later is not very impor-

tant. I think it advisable for you to attend the Westchester Court and therefore to postpone your visit to us until after that period. But it is my wish and desire that you will pass as much of the intervening time with your uncle at Rye as the business of your Mayor's Court license will permit."

In the autumn Jay went to the southern part of the State to visit a tract of land in Chenango, purchased by his father, and to superintend its survey. He accompanied the surveyor in running the lines and slept with him in the woods. Passing the night in the open air proved much more agreeable than he had imagined. A clearing was selected for a camp, a shelter extemporized with crotched supports of hemlock, and a fire built to last till morning. Wrapped in blankets, with their feet to the fire, Jay and his companion went to bed on dry, elastic hemlock boughs, and though one night it had snowed considerably, they slept warm and comfortably. On his return home he relates in a letter these experiences to his Uncle Peter at Rye.

In the summer of 1799 New York was visited by an epidemic of yellow fever. Jay remained in the city until September, when he went to Rye and later to Bedford, where the County Court was then sitting. On September 8, he writes to his sister Maria at Albany: " It was hoped that the long continuance of cool weather would have checked the progress of the fever. But the fact has been exactly the reverse, and proves how little we yet know concerning the nature and causes of the disease. Aunt Cortlandt is determined to remain here, General Clarkson has removed from his own house to Mr. Le Roy's. Most of our other friends have

quitted the city or are preparing to do so. Our situation, however, is not so distressing as it is probably represented. People are free from that panic which formerly aggravated a calamity sufficiently dreadful of itself. Business is still carried on in Greenwich Street, whither most of the merchants have removed their counting houses."

Earlier in the year Jay had obtained his Mayor's Court license. In March his sister Maria wrote: "We hear from New York that you have passed a very handsome examination in the Mayor's Court." This was afterwards known as the Court of Sessions. Jay kept up his interest in the militia during this period, having been appointed First Adjutant of the Sixth Regiment on March 8, 1800.

He was also made Inspector of Brigade of Militia in the City of New York and County of Richmond by General James M. Hughes.

In September, 1800, Jay gives his sister Maria a glimpse of his life in town at that period. He says: "I have taken up my law books and laid them down again, copied and recopied declarations and pleas, and attended the courts that happened to be sitting, without seeing anything of what is called Company, unless when I have now and then drank tea at some of my neighbors."

During the residence of the family in Albany, Maria Jay had made the acquaintance of Goldsborough Banyer. Mr. Banyer's father bore the same name. He was born in England but came in early life to this country, where he ever after resided. For many years prior to the Revolution he was Deputy Secretary of the Province. Young Mr. Banyer's

St. Memin

MARIA JAY

1798. AGE 16

Afterward Mrs. Banyer

acquaintance with Miss Jay ripened into an attachment, and before the family left Albany, Maria Jay became Maria Banyer. The marriage took place on April 22, 1801.

In the meanwhile arrangements were making for building a home for the family in the country. The site selected for this purpose was at Bedford, in Westchester County, an estate which the Governor had inherited through his mother, and which her father, Jacobus Van Cortlandt, had purchased in 1703 from the Indian Sachem, Katonah.

The plan of the dwelling having been determined, Jay, visiting Bedford in the early summer of 1801, writes to his sister, Mrs. Banyer, at Albany, that the frame of the new building had already been raised. "Building in the country," he adds, "proceeds with a far slower pace than in cities. In the latter materials are purchased on the spot in a state of preparation and nothing is to be done but to put them together. In the country the stones are to be broken, the bricks and the lime to be burnt, the timber to be felled and hewed and everything to be drawn from a distance. Besides, workmen are scarce, sensible of their own importance, extortionate and lazy, but the building progresses."

During this visit Jay says he attended church on a Sunday, when Bob, poor dog, as unaccustomed to the place as his master, thought it no harm to mount the pulpit and scrape an acquaintance with the minister, which he did, to the great discomposure of the countenances of the congregation.

In the following summer the house was sufficiently finished to admit of its occupancy by the family. Mrs. Jay's health did not permit her to come until all the work had been finally

completed and the workmen had left the building. She was now staying with her sister, Mrs. John Livingston, at Oak Hill on the Hudson, near what is at present known as the Catskill railroad station. On her arrival at Bedford, she wrote: "I can truly say I have never enjoyed so much comfort as I do here."

The house at Bedford is described as delightfully situated on a gentle slope backed with high and luxuriant woods; the surrounding scenery is exceedingly picturesque; particularly in the west overlooking the Kisco and Croton valleys and the hills bordering on the Hudson, among which is the bold Dunderberg. This became the permanent home of the Governor. Its retirement and seclusion were particularly grateful to him after years of unrest and disquiet. Its distance from New York—fifty miles—can now be traversed in one hour, but it then required two days, and the mail came but once a week.

In answer to an inquiry from a friend how he could occupy his mind in such a wilderness, the Governor's smiling reply was, "I have a long life to look back upon and an eternity to look forward to." This conversation took place after Mr. Jay had long been a resident at Bedford, and from a guest at the house we get this record of his visit: "I scarcely remember to have mingled with any family where there was a more happy union of quiet decorum and high courtesy, than I met beneath the roof of Mr. Jay. The venerable statesman himself is distinguished as much now for his dignified simplicity as he was formerly for his political sagacity, integrity and firmness. During my short stay beneath this hospitable roof

several of the yeomanry came to make a visit of respect, or of business, to their distinguished neighbor. Their reception was frank and cordial, each man receiving the hand of the Governor, as he was called, though it was quite evident that all approached him with the reverence a great man only can inspire. For my own part, I confess I thought it a beautiful sight to see one who had mingled in the council of nations, who had instructed a foreign minister in his own policy and who had borne himself with high honor and lasting credit in the courts of mighty sovereigns, soothing the evening of his days by these little acts of bland courtesy, which while they elevated others, in no respect subtracted from his own glory."

The pleasures which Mr. Jay had anticipated from his new home were denied him. Mrs. Jay's health continued to fail, and after a short illness she died at the early age of 45, on the 28th of May, 1802. Her remains were taken to New York and placed in the Jay family vault. We are indebted to her grandson, the late Mr. John Jay of Bedford, for this tribute to her memory. Speaking of her character, he says: " However much of its equanimity was due to the example and influence of her husband, her letters show that with a singular delicacy of feeling and sensibility of organization was combined a strength of mind based upon Christian principle, which enabled her to face danger without fear and to endure hardships and disappointments without a murmur. Her biography and correspondence, should they be published, would illustrate in no slight degree the early days of the Republic and disclose the temper of the men and women whose virtues secured the independence of their country and whose characters and ac-

complishments sustained its dignity at home and at the Courts of Europe. Her memory may be cherished as that of one who exhibited from her youth amid trial and hardship a steadfast devotion to her country; who, amid the gay society of Paris and New York, preserved unimpaired her gentleness, amiability and simplicity; and who throughout her life, fulfilled with Christian fidelity and womanly affection, the duties of a daughter, sister, wife, and mother."

Before Mrs. Jay's death, two other deaths occurred that touched this family very closely—those of Peter's paternal uncles—Mr. Frederick and Mr. Augustus Jay. Augustus died on the 23d of December, 1801, at the age of 71. He had not married. Of his father's family he was the eldest son and next to the eldest child. Frederick was born April 19, 1747, and his death occurred in his 53d year, on the 14th of December, 1799, two years earlier than the decease of his brother. Frederick was twice married, but had no issue. His first wife was Ann Margaret Barclay, who died in 1791. He subsequently married Euphemia Dunscomb, a niece of his brother Peter's wife (Mary Duyckinck). Frederick Jay was appointed during the Revolutionary struggle one of the Committee of Safety for Rye, to serve for one year from May,1776. This was when Westchester had been threatened with invasion, and when the county was suffering, as we have already seen, from the incursion of " the Queen's Rangers," who ravaged the country without restraint or remorse. Frederick Jay had already done active service in " the New York Battalion of Independent Foot Companies," known as " The Corsicans," of which Edward Fleming was Captain; Nicholas Roosevelt,

1st Lieut.; Frederick Jay, 2d Lieut.; John Berrian, 3d Lieut.; and Frederick de Peyster, 4th Lieut. Their uniform consisted of short green coats, and small round hats, with a cock on one side, a red heart of tin with the words, " God and our Right," and on a band around the crown, " Liberty or Death."

From 1777 to 1783 he was a member of the Assembly from New York, and it will be remembered it was at his house at Poughkeepsie, during the stormy time of the Revolution, that the family took refuge.

Peter A. Jay was now established in the city in the active practice of his profession. How long he remained in partnership with Mr. Munro is not definitely known, but the Supreme Court at Albany had admitted him as " Counsellor at Law," by license dated October 31, 1800. The license was signed by John Lansing, Jr., Chief Justice.

On June 15, 1801, he was licensed to practise as Solicitor in the Court of Chancery of New York State, this license being signed by Chancellor Robert R. Livingston and Maturin Livingston.

Jay was rather tall, and slender of person, quick in his movements, with a face which indicated great refinement, intelligence and benevolence, and a manner that was gracious and engaging. There was something about his appearance which would always arrest attention.

His health, however, was not vigorous, and the recent deaths of his mother and uncles had saddened him. Some relaxation from business seemed to be desirable; he therefore decided to spend the winter abroad. A letter dated November 4, 1802, bidding farewell to his sister, Mrs. Banyer, shows

the frame of mind he was in before his departure: "The doctors state that this measure is *expedient* but not *necessary*, and flatter me that I shall regain my former health; whether this is more than flattery time will show. When I give the reins to my imagination she sometimes sketches but a gloomy prospect. I see myself about to leave, perhaps never to revisit, all whom I love, respect, esteem, or care for in the world, to go to a land of strangers, where every face will be unknown, and every sound unintelligible—where I may languish unheeded and unpitied; and perhaps die unregarded and unlamented, with not a friend to close my eyes. To drive away these dreary and unprofitable reflections I reverse the medal and view myself in the most luxuriant and laughing country of Europe, where the fertility of the soil emulates the benignity of the air; where the labors of Art rival the production of Nature; where I tread on classic ground and where every steep brings to my remembrance some poet, philosopher or hero. I think of the joy with which I shall return to my native shore, and the transports I shall feel when again embracing my father and my beloved sisters. But it is my duty to check as well the wild exuberances of hope as the gloomy extravagancies of frightened fancy. It is my part to acquiesce without a murmur in the dispensations of Him in whose hand are my days, and who in this world seldom dispenses either evil or good without a mixture. Resigning myself to His Providence and imploring His protection, I endeavor to preserve an equal, cheerful mind, neither vainly and presumptuously elated with hope; nor depressed by melancholy forebodings or desponding thoughts."

EXTRACTS FROM HIS DIARY

From a diary which Mr. Jay kept we have the following account of his trip abroad, which lasted about nine months:

" Oct. 1802.—Towards the end of this month, on account of a pulmonary complaint under which I had long labored, Drs. Charlton and Tillary advised me to avoid an American winter and to pass that season in some milder climate. They recommended the South of Europe, Madeira, Bermuda, or New Providence. I preferred the first but was unable to obtain a passage on board any vessel that pleased me till the end of the next month, when I engaged one in the four-masted ship *L'Invention*, Peter Tardiff, master, for Leghorn. Messrs. Murray & Son supplied me with a credit on Mr. Sansom of London and Messrs. Philip & Anthony Felicchi & Co. of Leghorn, and Mr. John R. Murray, who had just returned from a tour of Europe, which he had performed with singular taste and judgment, gave me a few letters of introduction to Genoa, Leghorn and Lyons. I received likewise introductory letters from Mr. Seton, Mr. de Lancey and Mr. Abraham Ogden. Dr. Valentine Seaman of New York and Mr. Thompson, a Scotchman, were fellow-passengers with me. The former was going like myself for the benefit of his health. We embarked on the 27th of November, got under way at noon and in about two hours were at sea and discharged the pilot.

" The ship in which we sailed was built by the French for a privateer, and carried 28 guns, but was taken by the British during her first cruise. She was about 500 tons burden and remarkably long and sharp—with the wind on the quarter we sailed with great rapidity. On our passage we outstripped

every vessel we saw standing the same course. The additional mast was called by the French the *intermediate mast* and by the English the *after main mast.* Sailing with a N.W. wind, our captain determined to take advantage of it to get clear of the land, and accordingly stood to the S. E. for about 300 miles until the 1st of December. The wind then changing compelled us much against our inclinations to run to the N. E. and we crossed the Banks of Newfoundland a week after in Lat. 44 deg. We then supposed that we should of necessity make a northern passage, but a second change of wind carried us southeasterly through the midst of the Azores to Lat. 32 deg. Of these islands we saw on the 14th and 15th Fyal, Corvo, and Pico. The last seemed to rise from the sea in form of a sugar loaf and hide its head in the clouds. We saw it high above the horizon at the distance of 50 miles. In these low latitudes we were becalmed for several days, till at length a more favorable breeze springing up, we succeeded in making Cape St. Vincent on the morning of the 27th of December.

" This Cape, which is the S.W. point of Portugal, is a high, steep and rocky promontory jutting out into the sea. On the sea. On the top and apparently on the brink of the precipices is a large monastery, the white walls of which together with the rude scenery round them and the surf breaking impetuously at the foot of the rock form a prospect extremely picturesque. From hence may be seen, on one side, the Kingdom of Portugal for many a mile offering to the eye towns, villages and cultivated fields, and on the other the boundless ocean, spotted with sails which from every quarter

are approaching the Mediterranean. A situation from which such a view can be beheld, while the constant roar of billows is heard immediately beneath, seems peculiarly adapted to religious retirement and to inspire ideas the most devout and most sublime.

" While we coasted along this shore the wind increased and blew a strong gale. We stood for Cape Spartel on the African side and when night came on reduced our sails and ran under our mizzen and topsails, and yet with only these sails the ship went 9 knots an hour.

" Dec. 28th.—In the evening we found ourselves in sight of Cape Spartel on one side and Cape Trafalgar on the other. The Moorish coast was obscured by a haze—we, however, discerned (though very dimly) the bay and city of Tangiers. On the European side we passed rapidly along a shore rough and barren, and on approaching it nearer saw several small villages, flocks of sheep and droves of cattle and horses. The largest town in sight was Tarifa, which we approached near enough to distinguish with the naked eye friars in their habits walking on the beach and inhabitants sunning themselves under the walls of the town.

" The wind continuing favorable, we entered the bay of Gibraltar about noon. I had a great desire to see this fortress and had letters from Mr. de Lancey to Consuls Simpson and Matra. The Captain had promised if the weather permitted to anchor here, since by obtaining at this place a clean bill of health his quarantine might have been shortened at Leghorn; but the wind was so favorable for the prosecution of our voyage that he was exceedingly unwilling to lose it and

therefore determined merely to land his letters and proceed. As we stood into the bay we perceived the boat of an American man-of-war and made a signal for it to approach. We found it belonged to the frigate *Constellation*, then lying in the bay waiting only for a wind to return to America. We delivered to the officers the letters we had prepared to our friends at home as well as those which were to go ashore and then continued our course.

" Leaving Gibraltar, we passed along the Spanish shore, which continued to be high but somewhat less barren; we could see hedges which we supposed were made of aloes, and now and then villages. A slight haze which hung over the hills softened their tints and gave them an appearance almost like velvet. Some of the views were beautiful. The surface of the sea here was very unlike that we had lately witnessed in the Atlantic. It was so smooth that we could scarcely discern any motion in the wine in the decanters which stood on the cabin table.

" Dec. 29th.—The next day the wind which had seduced us from Gibraltar failed, and light baffling airs which succeeded detained us a couple of days between Cape Gata and Palos. During this interval we saw the snow-capped mountains of Granada, which though very distant appeared of an enormous height.

" Jan. 1st, 1803.—On New Year's Day we made Majorca and the little Isle of Cabrera which lies near it, and two days after we saw Corsica. Our cruise was now again obstructed by calms and contrary winds and we were obliged to stand over to the French shore, which we made near Cape Taillar.

The coast here, as in every part of the Mediterranean which I have yet seen, was mountainous and great quantities of snow covered the high grounds.

" On the 5th in the afternoon we passed Capraja and Gorgona and came in sight of Mount Nero, which lies near Leghorn, and in the evening were within a few miles of the harbor, but the Captain, apprehensive of entering in the night without a pilot, waited for morning to run into the mole. Unfortunately the morning brought with it a wind directly ahead and even that died away before we could beat in; so that we had the mortification of being all that and most of the following day in full view of our port without being able to reach it.

" Jan. 7th.—This whole day was employed in beating into the harbor. We passed close under Point Nero, near which stands a chapel dedicated to the Virgin and much venerated by the pious Catholics. We were amused by a number of small vessels rigged in a manner quite new to those unacquainted with this sea, and by three Spanish men of war (one of 120 guns) which had just arrived from Carthagena and had on board the Prince of Asturias and his family, who landed with great parade about noon. The ships were finally dressed in the colors of different nations and when the Prince landed a salute was fired. About 4 P.M. we gained the harbor and were running into the mole when an officer of the Pratick House (Health Officer) came off and ordered us to anchor in the road till we had permission from the Governor to go within the mole. The Captain, vexed at this order and suspecting it was a scheme to extort money, ordered the mate to

lay the ship to and went ashore in the boat with his bill of health and soon after returned with permission to enter. It being then late and the wind failing, ten men in a boat came off and offered to tow us in. Their offer was accepted and we reached our station at dusk. As vessels from the United States since the appearance there of the yellow fever are obliged to ride quarantine, a guard belonging to the Pratick House accompanied the Captain when he returned from the shore and another was sent on board soon after we had reached the mole.

" Thus ended our voyage, which had been far more pleasant than the advanced season had given us reason to expect. From the time we sailed to the present I did not find it necessary to wear a great coat on deck during more than three days. The Captain and both the mates were skilful in their profession and showed me every attention. I have reason to be perfectly pleased with them. I was seasick for three days only. Dr. Seaman suffered much—he was sick near three weeks.

" Jan. 8th.—This morning a boat belonging to the Pratick House came alongside, and a physician who was in it inquired into the health of the crew; the nature of the cargo, etc. All on board were then ordered to show themselves at the ship's side that it might appear whether their number corresponded with our bill of health; and afterwards to beat our breasts with our right hands to ascertain, I presume, that we were alive. Several acquaintances of the Captain came alongside and informed us that our quarantine would be 14 days, but that on the petition of the consignees it would probably be reduced to 12.

" Jan. 9th.—This day being Sunday, we had an opportunity of seeing the different flags displayed by the vessels in the mole. The Danes, Ragusans and British appeared the most numerous. There were also several Greeks and Turks and 6 or 7 Americans.

" Jan. 10th.—This day a circumstance hapijened which serves to show the disposition of the Italians for extortion. I have mentioned that a boat with ten men assisted us in getting into the mole. This service was performed in an hour and a half or at most two hours and they demanded for it $8^1/_2$ sequins (about 18 dollars), which the Captain refused to pay. This day a settlement took place; the boatmen fell to $4^1/_2$ sequins, which being also refused they at length accepted *two and an half* in full for their trouble.

" Jan. 15th.—We learn that a royal order has been issued compelling all ships from the United States to perform 20 days quarantine instead of 14 as heretofore. Though the King's order with respect to us is *ex post facto* we find to our vexation that we shall be obliged to obey it.

" Jan. 27th.—We at length obtained our release. The Pratick House boat came alongside and the officer having again counted our numbers and ordered us to beat our breasts as at his first visit told us we had Pratick. We went immediately ashore, and having presented ourselves at the Pratick House received permission to enter the city, where we took lodgings at the Albergo Reale, which we found an exceeding good inn."

The remaining days of the month were spent seeing the sights of Leghorn, and Mr. Jay had here his first experience

of Italian Opera. He writes: " In the evening I went to the Opera with Mrs. Felicchi. Understanding neither the language nor the music I was but little entertained. The Opera house is spacious and pretty. There are five rows of boxes above each other. These are totally separate and form little rooms—even the front can be closed by means of a curtain. They are private property and in the best situations are worth $ 3000. In these boxes they converse, play cards or chess, pay and receive visits; in short, do anything but attend to the performance."

" Jan. 31.—Mr. Felicchi, having informed us that he intended going to Florence to-morrow, invited us to be of the party. We determined not to neglect the opportunity. Dr. Seaman and myself purchased a carriage for 80 sequins and we prepared for our journey.

" Feb. 1.—We set out at 8 o'clock A.M. and arrived at Florence (64 miles) at half-past 8 in the evening. Mr. Felicchi, Mr. Bayley, Mr. Amory, of Boston, and Signor Baragazzi, an advocate of Leghorn, accompanied us."

A week was spent at Florence. From that city Mr. Jay writes: " I have found here as much magnificence as I expected to find even at Rome. There are at least ten palaces in Florence better built and embellished than St. James's at London." Of the Uffizi he remarks: " The famous gallery did not surpass my expectations, especially as the best pieces both of painting and sculpture have been sent to Palermo to save them from the French," nor did he see the collection formerly at the Palazzo Pitti, since it had been ransacked by Napoleon and the paintings taken to Paris. The following

item proves that the shops of Florence were no less enticing one hundred years ago than at present—" The Brothers Pisani have here a grand manufactory of alabaster vases, etc. I purchased a few for my sisters."

" Feb. 5.—Our friends left Dr. Seaman and myself. We parted with great regret from Mr. Felicchi and Mr. Bayley, who had been unwearied in their attentions to please us. Our fellow passenger, Mr. Thompson, also returned to Leghorn and his absence gave us much less pain."

As the weather at this time was very cold, Mr. Jay and Dr. Seaman determined to go to Rome, and on Feb. 9th set out, in a carriage drawn by a team of mules, on what proved to be a rough and tedious journey. They had travelled only twenty miles when the road became so obstructed with snow that they were compelled to return to the village of Tavernelle, where the night was passed in a miserable inn.

" Feb. 10th.—We were detained all day at Tavernelle. Two couriers, being in like manner detained, applied to the Commandant of the place, who ordered the inhabitants to open the road. They went out for that purpose, but soon returned, saying it was too cold to work. Indeed, for this climate the weather was very severe. The snow did not melt even at noonday on the roofs most exposed to the sun. We endeavored in vain to persuade the people to break the road, as in America, with horses and oxen—they had no idea of opening it except by shovelling the snow out of it."

The following day they were finally able to proceed and arrived at Sienna late in the evening. After leaving Sienna the roads became very rough, which made travelling difficult

and slow. Near Ponte Centino they had to ford the river Rigo six times in the course of a mile to reach the house where they were to sleep. At Lake Bolsena they were interrupted by a squad of the Pope's cavalry " who endeavored to persuade us to hire an escort to Montefiascone to protest us from the Banditti, who they said infested the road and had lately robbed the Florence Courier. But, as they themselves had more the appearance of Banditti than soldiers, we declined the honor of their Company."

After spending a week at Rome, they were obliged to go further south on account of the continued cold. Just before leaving, Mr. Jay made this entry: " I was near being killed here by the fumes of charcoal in a *brassero*."

The journey to Naples was made by the post route. At Portella, the entrance to the Kingdom of Naples, Mr. Jay's servant was arrested for having no passport, and as arguments and persuasion availed not, he had to be left behind at Terracina. The servant, who was called " Bill," proved more than a match for the Neapolitan guards, for on March 2d Mr. Jay writes: " My servant who was sent back to Terracina fortunately found there a felucca bound to Naples, and going on board, arrived at this place the day after we did."

Two weeks were spent at Naples, from which base the two travellers visited nearly all the surrounding places of interest, including Pompeii and the crater of Vesuvius.

On these excursions Mr. Woolaston, an English gentleman whom they had met on the way, generally accompanied them.

At Naples Mr. Jay had an opportunity to attend court and

observe the Italian methods of judicial procedure. He remarked that the corps of advocates amounted to 8,000, and the notaries, clerks, scriveners and other retainers of the law, to nearly 12,000 more,—a proof, perhaps, that the laws were not the best possible. He also saw something of Neapolitan society, having been a guest at a magnificent ball given by Madame Falconet, formerly Miss Hunter of Boston.

By the middle of March, the weather becoming warmer, Mr. Jay and his friend decided to return to Rome. Eight days were spent in sight-seeing, including an excursion to Tivoli. Mr. Jay speaks of Rome as " this superb Metropolis, superb even amidst its present misery and desolation." St. Peter's seemed to impress him most of all.

Beginning their journey northward, they drove from Rome to Florence, by way of Perugia. Being anxious to get letters from America awaiting them at Leghorn, they passed through Lucca and Pisa. As the road from Leghorn to Genoa was impassable for carriages, they resolved to go thither in an English brig which was to sail in a few days. Reports of a war between England and France, however, prevented her departure, so they finally hired the cabin of a felucca and made the voyage in twenty-two hours. Mr. Jay writes from Genoa: " The passage would have been agreeable but for the extreme nastiness of the boat, which swarmed with vermin. These feluccas are open boats which carry merchandise from place to place along the coast and sail or are rowed as occasion requires. On the approach of rough weather they instantly run for the shore. They have commonly two latteen sails and ten oars. The master is called Padrone. That which

they call the cabin is a place abaft the mainmast covered with a small awning."

Leaving Genoa, Dr. Seaman and Mr. Jay engaged a carriage to cross the Apennines by the Bochetta Pass. The road was wild and infested with robbers, but the travellers got through safe to Turin. Mr. Jay writes that Turin is without exception the most beautiful city he has seen. About the middle of April he left for Lyons, and on this stage Mr. Jay had his first experience of the Alps. He crossed Mont Cenis on mule-back, at a height of 6,260 feet, in a violent wind-storm, and the ground covered with snow. The journey from Lyons to Paris, a distance of about 354 miles, was made in four days and a half over excellent roads.

At Paris, Mr. Jay took lodgings in the Rue Vivienne, Dr. Seaman going on to London. Mr. Jay met a number of friends here, among them Mr. and Mrs. Higginson and Dr. Bruce, with whom he made many excursions about the city in the course of the following five weeks.

" The palaces in Paris," Mr. Jay remarks, " are magnificent but of much inferior architecture to those of Rome and Florence. The Tuileries are inhabited by the French Consul; the Luxembourg is now the palace of the Senate, the Legislative Body occupy the Palais Bourbon, and the Tribunate hold their sittings in the Palais Royal. Notre Dame, the cathedral, is a large and ancient Gothic church, but not to be compared with the Duomo at Florence or to the Minster at York, or the Cathedral at Wells." At this time the population of Paris was 600,000. " The streets," he says, " are not well paved nor are they very clean, and having no sidewalks are

inconvenient for foot passengers." He greatly admired the boulevards on which formerly stood the ramparts of the city; also " a wood called the Elysian fields," as well as the Bois de Boulogne, " a wood which was cut down during the Revolution but which has been again planted." Of the people he writes: " The manners of the Parisians have returned to what they were under the old *régime;* and those of the Revolution, and even the Revolutionary language, are entirely out of fashion. A new aristocracy, that of wealth, has replaced the old nobility and perhaps the change is not much for the better." Theatres are numerous in every part of the city, and are always full. Mr. Jay remarks: " The performers in Tragedy appear to me mere ranters. The dancing at the opera is extremely fine, though I think that both the Italian and French in their dancing, and the former also in their music, aim much more at executing what is difficult than what is graceful." In speaking of Versailles, Mr. Jay says: " The palace fell far short of my expectations. It contains, however, some good pictures and a great many of inferior merit. The masterpieces both of painting and sculpture have been sent to Paris and St. Cloud. The latter is now the favorite residence of Bonaparte, and immense sums have been expended to furnish and embellish it."

During the month of May Mr. Robert R. Livingston and Mr. Munro, Ministers of the United States, signed a treaty with the French Government by which France ceded Louisiana to the United States, a territory nearly equal to the area of the thirteen original States—an event recently commemorated at St. Louis. Mr. Jay was desired by the Ministers to

take with him on his return to America the ratified treaty and an order from the First Consul for the delivery of the Territory. Accordingly he left for Havre on June 9th, where he engaged passage for New York on the ship *Oliver Ellsworth*. On the way down the Channel Capt. Brenton, of the British frigate *La Minerve*, having heard that Mr. Jay was the bearer of despatches, stopped the *Oliver Ellsworth* and summoned him aboard. Mr. Jay promptly showed the Captain a certificate with which he had been furnished by the American Ministers; whereupon Capt. Brenton made profuse apologies, saying that he had supposed the despatches were from the French Government, and sent Mr. Jay back to his ship.

A stop of two days was made at La Rochelle to take on a cargo of brandy. This gave Mr. Jay an opportunity to visit the birthplace of his forefathers. Mons. Pierre Borde, Vice-Commercial Agent of the United States, informed him that a respectable Huguenot family of the name of Jay,—various members of which had once held offices under the government and had afterwards fled on account of their religion,—was still remembered there. " He told me further," says Mr. Jay, " that about twenty years ago he had known a Mr. Jay who was a member of the Parliament of Paris, and was of a Rochelle family, but he was ignorant what had become of him during the Revolution."

Mr. Jay continues—" La Rochelle is a melancholy place. Everything testifies decline and poverty. The port contains not a single vessel which is receiving or discharging a cargo. Not a gentleman's carriage is to be seen in the city and the grass grows in the midst of the streets. This place formerly

contained upwards of 60,000 souls; the population has now dwindled to 17,000. Fifty years ago its commerce equalled or exceeded that of Bordeaux; at present it does not employ six vessels. This declension is owing in part to the loss of the fur trade which centred here before the conquest of Canada by the British; partly to the destruction of their African commerce, which was destroyed during the last war; and partly by the Revolution, which ruined the men of property and capitalists; but more than all to the superior advantages of situation enjoyed by Bordeaux, which is seated on one of the finest rivers of France, while all inland trade with Rochelle must be carried on only by land. The port is very small but perfectly secure. It resembles more a large dock than a harbor. The city had formerly been surrounded by an oldfashioned stone wall, strengthened with round towers, part of which is still standing. New and exceeding strong fortifications on the modern style have since been erected. The streets are tolerably wide, and straight, the houses of stone and old-fashioned. In most streets the second story projects over the first and is supported by pillars, forming a convenient footwalk. There is a large square and a public walk on the ramparts."

After considerable delay they sailed from La Rochelle on July 10th. Again the *Oliver Ellsworth* was boarded from no less than four British frigates, but as in the first instance Mr. Jay was allowed to proceed, with apologies. His arrival in New York with the treaty on August 18, 1803, was announced in the papers the following day. In his passport from Havre Mr. Jay is described as "27 years old, oval face, aquiline

nose, blue eyes, chestnut hair, 5 ft. 10 in. high, accompanied by his valet, William Kendall."

During the next few months his assiduity—always a distinguishing trait of his character—found him again among his law books and as intent as ever in building up the character which in time gave him such an enviable position in his profession. It was no little distinction for him to learn that when Chancellor Kent was solicited to appoint some one to make a valuation and report in a case of magnitude and nicety,—" let it be referred," said the Chancellor, to Mr. Jay: " if there ever was an honest man, it is Peter A. Jay."

It was at Dr. Charlton's suggestion that Mr. Jay the following autumn again made arrangements to seek a more genial climate. He secured from De Witt Clinton, the Mayor, a passport for himself and his servant, William Kendall, to visit foreign countries. He decided to go to Bermuda and make his residence at St. Georges. On Dec. 16, 1803, he sailed on the sloop *Blackbird*. Dr. Territt, lately appointed Judge of the Vice Admiralty Court at Bermuda, was a fellow passenger. Mr. Jay writes: " I found him a learned and agreeable man. His baggage and the sloop's provisions so filled the cabin that we were unable even to sit upright in it. On the 17th, 18th and 19th it blew a storm and we alternately lay to and scudded before it, sometimes under bare poles. The rest of the voyage was uncommonly disagreeable, on account of the rough and wet weather which confined us to the cabin, filled, as I have described it. The dead lights were put in before we sailed and never taken out, and the skylight having no glass in it was obliged to be covered whenever it

rained. I suffered much from sea-sickness. On making the land we very nearly escaped running on the rocks called the Long Reef."

On his arrival at St. Georges Mr. Jay presented the letters of introduction given him by Mr. Barclay, the British Consul General at New York. These procured him great attention and hospitality, especially from Mr. Tucker, the President of the Council and, in the absence of the Governor, Commander-in-Chief. But it was, as he writes to his sister Mrs. Banyer, a gloomy and uncomfortable season. " Instead of a land of perpetual spring as I had hoped to find it, it proved to be during most of the time I spent there a region of continued storm and rain. As for public diversions there are none of any kind except that sometimes they amuse themselves with running horses or with boat racing, in the last of which they excel—their vessels being as good as their horses are bad. If the Bermudians," he concludes, " were as fond of flowers as you are, they might have very beautiful gardens with little trouble."

On the 9th of May, 1804, Mr. Jay writes in his Journal: " Being anxious to leave this place, where I have passed some very disagreeable months, I engaged a passage in the sloop *Cedar Tree*, Captain Penniston, for Philadelphia." And on May 23d, " we succeeded in getting to sea and I bade adieu to Bermuda without regret. The inhabitants were hospitable and showed me a very great degree of attention, but disagreeable weather, absence from friends, inactivity and exceeding bad health concurred to make my time pass heavily and gloomily away." He arrived home at Bedford on June

12th. In the autumn he received the following letter from Judge Territt:

" St. Georges, Bermuda,

" Nov. 10th, 1804.

" *Dear Sir:*

" My servant has preserved for you some seeds of that blue flower you were so partial to when you visited this Island, and he begs me to mention in my letter that he is in want of many seeds, particularly cantaloupe, melons, cucumbers, horse-radish and celery.

" If you will deign to visit us again this Winter I shall be able to receive you in a better manner than when you were here before; but, though I should be particularly happy to see you, I hope that ill health will not be the cause of our meeting; I have too much reason at the same time to fear that nothing but the apprehension of suffering from the cold at New York can induce you to return to this dreary and uncomfortable spot. . . . Begging to be particularly remembered to Judges Benson and Kent, to Mr. King, Mr. G. Morris and Col. Barclay when you see them, I am, dear Sir,

" Most sincerely and truly yours,

" W. Territt."

Mr. Jay remained at Bedford for the next two years, being still in poor health. He could not be tempted to go to Bermuda again; though always retaining very grateful memories of the kindnesses which he had received during his visit. As we see by the following letter, he evidently took pleasure in introducing to his friend Mr. Tucker, a resident of Bermuda,

young Hoffman. Hoffman, then a midshipman serving on board the *President*, Commodore Decatur, which was captured on January 16, 1815, off Long Island, during what is commonly known as the Second War of Independence, in after years became a prominent member of the New York Bar.

" NEW YORK, January 28, 1815.

" *Dear Sir:*

" I know both by observation and experience that to afford you an opportunity to be hospitable is to give you pleasure, and I shall therefore without any apology beg you to show such civilities as may be proper to Mr. Ogden Hoffman, a midshipman lately captured on board the *President* frigate and now on his way to your Island as a prisoner. He is a young gentleman of family and education, son to the Recorder of this city, and I trust worthy of the attention he may receive.

" Be assured, sir, I have not forgotten the kindness I experienced from almost every gentleman of your name when, many years ago, I visited Bermuda in search of health. Should there be any of them who still remember me, be pleased to make to them my respects and believe me, sir,

" Your very obed. serv't,

" PETER AUGUSTUS JAY.

" DAN'L TUCKER, Esq.,

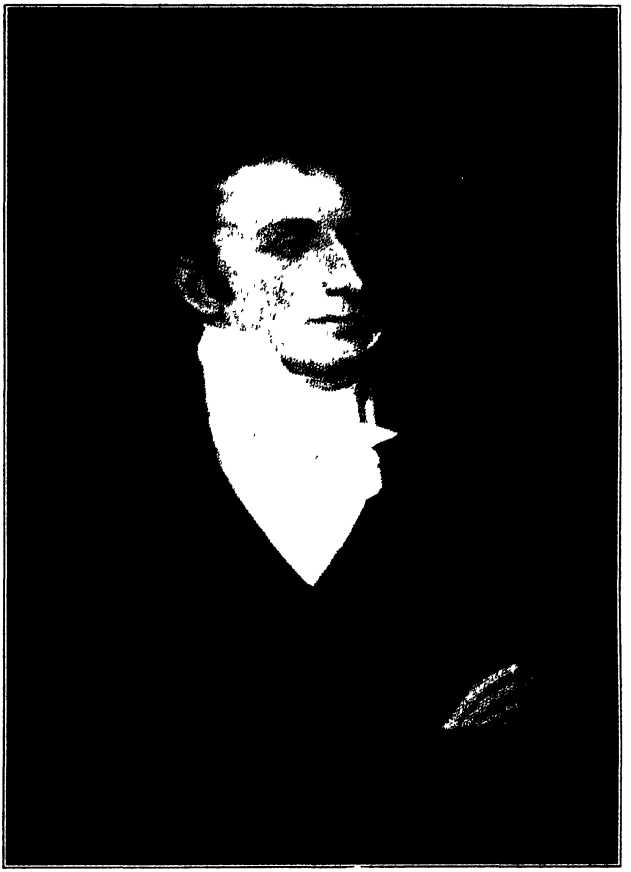
" Bermuda."

The years spent at Bedford, the quiet of the country, and relaxation from business cares finally completely restored him to health.

On June 6, 1806, Mr. Goldsborough Banyer died in the thirty-first year of his age. It will be remembered that he had married Maria, Peter's sister, who was now left with two young children, a son and daughter. The loss of her husband was followed in a few months by that of her son, and three years later her daughter died.

At the age of thirty-one, Mr. Jay became engaged to Mary Rutherfurd Clarkson, his second cousin. Mary was a daughter of General Matthew Clarkson and an only child by his first wife, Mary Rutherfurd. Her Clarkson ancestors had long been settled in the West Riding of Yorkshire, England. The Rev. David Clarkson, the immediate descendant of this family and born in Yorkshire, was a graduate of Trinity College, Cambridge, and subsequently made London his residence. He took a prominent part in the religious controversies of the time and was as much esteemed for his " godly upright life " as for his great scholarship. He was the father of Matthew Clarkson who came with his half-brother, or stepbrother, Charles Lodwick, to Boston in 1685, but went back to England soon after his father's death, and who, on his later visit to America, came with the Royal Commission of Secretary of the Province of New York. This Matthew was the great-great-grandfather of Mary Clarkson.

Mary's mother was a woman of great beauty, and of amiability of temper which made her exceedingly popular. She was the only daughter of Walter Rutherfurd and Catherine Alexander. Mary's uncle, her mother's brother, was an only son and was a Senator of the United States from New Jersey during the administration of General Washington. Her



PETER A JAY

In the possession of Mr John Jay Pierrepont

grandfather, Walter Rutherfurd, had entered the British service at an early age and served in Flanders as a Lieutenant in the Royal Scots, and in 1760, under Sir Jeffrey Amherst, commanded the Grenadiers at the invasion of Canada. On the termination of the French and Indian War he retired from the army and resided in New York and New Jersey. The Rutherfurds have always been classed amongst the most ancient and powerful families in Teviotdale, Scotland. The marriage was preceded by the following correspondence:

" BEDFORD, July 3, 1807.

" *Dear Sir:*

" My respect for your family and my constant esteem for your parents and yourself render the connection, which I understand, is about to take place between two of our children, perfectly agreeable to me. The reason there is to believe that their mutual affection will be protected and secured by mutual esteem, affords me particular satisfaction.

" My son is not a little gratified by the manner in which your approbation was given, and I flatter myself he will omit no opportunities of evincing the sense he entertains of it.

" With the most sincere wishes for your and their prosperity, I am, dear sir,

" Your obedient servant,

" JOHN JAY.

" General MATTHEW CLARKSON."

This letter elicited the following reply:

" NEW YORK, July 9, 1807.

" *Dear Sir:*

" I should sooner have expressed to you my thanks for the favor of your letter of the 3d inst. and the civilities contained in it, had not my knowledge of your son's intention of returning to Bedford induced me to postpone it until now. The intended connection between two of our children, in every point of view, gives me very great pleasure, and this is much increased by the satisfaction you express on the subject. The real esteem I bear your son for his great worth, and the warm affection I feel for the best of daughters, assure me that their mutual affection is not misplaced, but that they are, in every respect, deserving of each other.

" Their marriage, which I understand will soon take place, I sincerely hope it will be convenient for you and your family to witness.

" With every sentiment of esteem and respect, I am, dear sir,

" Your obedient servant,

" M. CLARKSON.

" Hon. JOHN JAY."

The wedding took place on July 29 at the Clarkson house, on the southeast corner of Whitehall and Pearl streets. The company assembled on Wednesday evening, in the drawing-room on the north side of the house, its three windows looking out upon Pearl Street. The ceremony was performed by

Doctor Moore, Bishop of the diocese. Among the guests were Governor Jay, the Rutherfurds, Bayards, Leroys, Van Hornes, Munros, Wallaces, and Miss Anne Brown. The bride wore white silk covered with white gauze, and her ornaments were pearls. She was attended by six bridesmaids, in white muslin Empire gowns: the Misses Ann Jay, Helen Rutherfurd, Anna Maria Clarkson, Susan and Catherine Bayard and Cornelia Leroy. The groomsmen were Robert Watts, Jr., John Cox Morris, Dominick Lynch, George Wickham, Benjamin Ledyard and B. Woolsey Rogers. On the following day Mr. and Mrs. Jay visited the latter's uncle, the Hon. John Rutherfurd of Edgerston, on the Passaic, a little above Belleville, where the bridal party were entertained at a breakfast. Mr. Jay received his friends in the mornings of the succeeding Tuesday, Wednesday and Thursday, while Mrs. Jay's receptions were in the evenings of Thursday, Friday and Saturday. Soon afterwards they went on their wedding trip, visiting among other places Ballston Spa, near Saratoga.

In a letter to Mrs. Banyer, written in 1807, Mrs. Jay says, "In the summer we expect to move into Vesey St. next to Uncle Rutherfurd's." The house was immediately in the rear of Mr. Rutherfurd's, which stood on the northwest corner of Broadway and Vesey Street. No. 2 Vesey Street was an inheritance from Mrs. Jay's mother.

Housekeeping and attendance at "Vendue's," for the purchase of suitable articles, form the subject of many of the letters to Bedford.

This summer Mr. Jay's brother William was graduated

from Yale with the class of 1807, and began the study of law at Albany.

Owing to improvements making in the city of New York in 1807 and the opening of new streets, the Jays were obliged to abandon the use of their former vault for burial, which was somewhere near the site of the present St. Mark's Church, described in old papers as " at Mr. Stuyvesant's." The remains of several of the earlier members of the family were taken to Rye for sepulture in a new vault built on the Jay estate.

On September 11, 1808, a son was born to Mr. and Mrs. Jay, and named John Clarkson. Shortly after his birth Mrs. Jay writes to her husband, who is visiting at Bedford: " This winter we shall receive an additional source of delight from our dear little boy. He grows every day, and is and has been perfectly well since you left us. His eyes are still blue; indeed I am almost confident he will be like his father, which will, if possible, endear him still more to me. Aunt Van Horne thinks John has grown since she last saw him, and says he is an uncommonly fine child, though I hear that from every one, and all think him like you except Mrs. Cortlandt, who says he is the picture of what William was."

Mr. Jay now commenced to take part in the benevolent, educational, political and religious activities of his community, a part which, whether as director or co-worker in the ranks, not only left the impress of his sturdy character upon the men of his own generation, but permanently links his name with the growth and upbuilding of many of the institutions of New York, both public and private.

Although at this time he was not a permanent resident at

Rye, the records show that as early as April, 1802, he was one of the wardens of Christ Church in that village. In 1809 he was made Governor of the New York Hospital. In 1810 he was a Trustee of the New York Society Library (founded in 1754), and in the same year we read of him as being Treasurer of the Corporation for the Relief of Widows and Children of Clergymen of the Protestant Episcopal Church in the State of New York. The following year he became a vestryman of Trinity Church, with which his father, grandfather and great-grandfather had also been officially connected. From 1812 to 1817 he was Trustee of Columbia College. In most of these various offices he continued to serve continuously or at intervals, during the remainder of his life.

It was in the year 1811 that the famous " Trinity Church Riot " took place; Mr. Jay was retained as one of the counsel for the defendants. The Commencement exercises of Columbia College were being held in Trinity Church before a crowded audience. One of the graduating class, named Stevenson, a disputant in a political debate, was refused his degree for saying " Representatives ought to act according to the sentiments of their constituents." It seems that students were required to submit their orations before delivery to the faculty for approval. In this case Dr. Wilson of the faculty disapproved of the above sentence and warned Stevenson to modify it. When the time came the latter delivered it as originally written. Later, when the President was about to hand him his degree, the faculty protested and the degree was withheld from him. Immediately there was an uproar; several of the alumni jumped up on the stage and made speeches

condemning the faculty. The audience becoming excited, the police were called in and the Commencement ended in great disorder. But the matter did not end there. After considerable agitation in the newspapers, several of the students and alumni who had denounced the faculty, including Stevenson, were indicted by the Grand Jury for causing a riot and were finally brought to trial in the Court of Sessions or Mayor's Court. De Witt Clinton was then Mayor. The defendants had engaged eminent counsel in D. B. Ogden, Josiah O. Hoffman and Peter A. Jay. Mr. Jay argued that if the college permitted students to discuss political questions they should be allowed free exercise of their own views, otherwise there was no freedom in debate and the students were simply mouthpieces of professors; that there was nothing in the statutes of the College imposing the penalty of a refusal of a degree if a student would not incorporate in his speech what a professor directed him to put into it; that it was not the young men on trial but the faculty who were responsible for the disturbance, and that in the sense of the law there had been no riot.

De Witt Clinton, however, was in no mood to pay any respect to the law in the case, insisting that there had been a riot. He angrily said that the disturbance was the most disgraceful, the most unprecedented, the most unjustifiable and the most outrageous that had ever come to the knowledge of the Court, and he charged the jury to find the defendants guilty on account of having had a hand in a disgraceful riot. The jury brought in a verdict of guilty, and Clinton fined the defendants two hundred dollars each.

ORATION ON WASHINGTON

On the 22d of February, 1810, Mr. Jay delivered by request an oration before the Washington Benevolent Society.

As this is the first public oration by Mr. Jay that has been preserved, a few extracts are given below, sufficient to indicate his style and manner of address:

" In the long series of ages over which history sheds her feeble light, scattered with unequal intervals appear a few great names shining like stars amidst the general obscurity. Some are clustered into constellations, and some are the more conspicuous for being unrivalled and alone. But when narrowly observed by the light of truth and reason, how many of them are found to fade as in the beams of the sun, and to have owed their celebrity less to their intrinsic lustre than to the darkness that surrounded them.

" How few of the heroes of antiquity deserve to be compared with the hero of America. Shall the rash and vainglorious Alexander, who, to satisfy an insatiable ambition, desolated unoffending nations—shall Cæsar, who pointed his parricidal arms against his country, and founded his throne upon the ruins of her liberty—shall the cold-hearted Augustus, who steeped his native soil with the noblest blood of its inhabitants—shall these, or men resembling these, be opposed to the renown of the man who fought and lived for his country only? Who led his fellow-citizens through all the perils of a long and unequal combat to victory, liberty, and safety—who was the instrument of the Most High, not to scourge a guilty world, but to dispense to this our native land the blessings of freedom, independence, security and order.

" How then shall I perform the task which you require;

how shall I pronounce a eulogy on him whose merits are above comparison?

" My brethren, I will not; he needs no eulogy. Garlands of flowers might hide, but could not adorn, a statue by Praxiteles. Where all is perfect, what more can be desired than to expose it distinctly to the view?

" . . . Yet his military talents form but a small part of the materials which compose the perennial monument of his fame. Skill in a particular act denotes the great artist, not always the great man. Able captains abound in every age, while a man truly great is almost a prodigy.

" Indeed, military glory, though of all kinds the most seductive, is seldom entitled to our esteem or approbation. When the fancy figures an immense multitude arrayed in arms, all obedient to the voice of one man, ready to endure toil, to encounter danger, and to sacrifice their lives at his command, we are struck with awe at the imposing picture of irresistible power. But power, when it is the agent of malignant passions or inordinate desires, should be regarded with abhorrence, and not with veneration. It suggests the idea of the great enemy of mankind seeking to destroy. Do we honour the lightning that blasts, the conflagration that devours, the inundation that sweeps away, in an hour, the labour of years? Do we sing praises to the hurricane, the earthquake, or the pestilence? It is the glorious sun which vivifies and illumines; the genial warmth that invigorates; the kindly rain that fertilizes and refreshes; the peaceful river, that, like the majestic Hudson, enriches its shores, and wafts upon its bosom the tributes which agriculture and commerce render

to each other. It is the *useful* agents of nature that we regard with affection, and for which we offer our thanksgiving to the Father of Mercies. The union of wisdom and virtue with power can alone entitle it to veneration. Thus united, it must necessarily be employed in acts of beneficence, and it then exhibits a lively image of the Deity.

" The power entrusted to Washington was always thus united, and thus employed. . . .

" The history of all republics has shown, that when such a state has completed a revolution by means of an army, it is easy for the master of that army to command the State. Washington resisted the glittering temptation, and listened solely to the dictates of duty; he promptly and indignantly repressed the first movements of treason among the troops; he soothed, he dispersed, and by degrees disbanded them; he resigned his command; he exerted every honest act to compose the public disorders; and with unwearied zeal and diligence promoted every design which could give stability to the government, and preserve peace and harmony to the people, till his labours were finally consummated in a free constitution.

" My brethren, the heart warms at the recollection of this disinterestedness. Does it not discover more magnanimity, and confer more true glory, than all the blood-stained trophies of the conqueror of Europe?

" In the eyes of reason and philosophy his resignation, in the circumstances that accompanied it, is alone sufficient to entitle him to immortality."

Fast following the deaths of her brothers, Frederick and

Augustus, came the death of Eve, eldest child of Peter Jay and Mary Van Cortlandt. Eve was born November 9, 1728, and on the 31st of March, 1766, married Henry, or, as he always wrote his name, Harry, Munro. Mr. Munro was a widower and a Scotchman. He had been educated at the University of Edinburgh, studied for the ministry, and in 1757 was admitted to Holy Orders in the Kirk of Scotland. He was soon after appointed chaplain of the 77th regiment of Highlanders, which was specially raised for service in America during the "French War." After his arrival in America he was admitted into the Episcopal Church and for nine years served as rector of St. Peter's, Albany. His rectorship closed the colonial era. The troublous period of the Revolution followed and the doors of the churches were shut against those of the Anglican clergy who were not in sympathy with the movement and rebelled against the new order of things. For his resistance to authority Mr. Munro was imprisoned, but made his escape by night, and after much suffering, as he relates, reached Diamond Island in Lake George. Thence he went to Ticonderoga and to Canada, and in the summer of 1778 sailed from Quebec for England, never returning to America. He died at Edinburgh May 30, 1801. In the winter of 1794, during his trip to Scotland, Mr. Peter A. Jay visited his uncle Mr. Munro.

Mrs. Munro did not accompany her husband to Europe, but remained with her father at Rye, and after her only child, Peter Jay Munro, grew up, she resided with him until her death, April 7, 1810.

In the spring of 1811 Mr. and Mrs. Jay moved from the

house they had been occupying in Vesey Street to No. 35 Pine Street. Mr. Jay had his law office in this house. The birth of their eldest daughter, Mary Rutherfurd Jay, occurred April 16, 1810, and another daughter, Sarah, December 19, 1811. Mrs. Banyer writes at this time: " Aunt Symmes says your little girl resembles Sister Sallie. Sal insists upon it Mary is my favorite, while she openly declares her preference for John."

Mr. Jay was nominated for Congress by the " Peace and Commerce " party, in the Fall of 1812, to represent the First Congressional District, comprising Suffolk, Queens, Kings, and Richmond Counties and the First and Second Wards of the City of New York. His colleague on the ticket was Benjamin B. Blydenberg. The nominees for the Second District were Egbert Benson and Jotham Post.

In a letter to Mrs. Banyer after the election Mr. Jay says: " We have gained the election and to my own surprise I am a member of Congress, provided the election is not void, which many of our lawyers think it is. As far as concerns me, individually, I am flattered by the election, but shall be glad to be excused the necessity of going to Washington, which, however agreeable it might be in other respects, would be an interruption to my business which I can very ill afford."

The " New York Gazette and General Advertiser " of Jan. 29, 1813, contains this announcement: " The votes for members of Congress have been officially canvassed at Albany, and the following Gentlemen are declared duly elected members of the House of Representatives from this State. Nineteen of the new members are Federalists and eight Democrats.

" 1st District, John Lefferts, Ebenezer Sage. 2d District, Egbert Benson, Jotham Post."

On what grounds Mr. Jay's election was void is not clear. The matter was protested by Blydenberg and Jay in the House of Representatives in July, 1813, was referred to a Committee, and finally postponed to the next session of Congress. It does not appear that any further action ever took place on the subject.

Mr. Jay was again nominated for Congress, this time from the Second District, New York, in December, 1813, to fill the vacancy caused by the resignation of Egbert Benson, but was defeated by William Irving by 379 votes.

Mr. Jay is at all times in correspondence with Bedford, and numerous little services are performed by him in the city to promote the comfort of the family there. Frequently the letters are addressed to his father and his brother, William, and at other times to his sister, Mrs. Banyer; writing to the latter, in one of his letters he says: " To use a Spanish proverb, may you live a thousand years and enjoy the happiness which your disposition promises and deserves."

A mural tablet in St. Peter's Church at Albany may be seen as one enters the building, which bears this inscription: " Sacred to the memory of Goldsbrow Banyar, who died in this city November 4, 1815, aged 91 years. He was a zealous advocate of the doctrines and worship of the Protestant Episcopal Church."

The death of her father-in-law, old Mr. Banyer, ended Mrs. Banyer's cares and self-denying duties in Albany. She removed to the city of New York, and bought a house 89 Liberty

Street, which she and her younger sister, Sally, continued to occupy until the death of the latter on the 22d of April, 1818.

Under this further bereavement Mrs. Banyer broke up housekeeping and again sought comfort in the endearments of her father's house at Bedford. Later she built on Broadway adjoining her brother Peter's, and here she and her sister, Nancy, lived until, with a view of securing a more quiet residence, Mrs. Banyer purchased as the future home for herself and surviving sister, 20 Bond Street, where the closing years of their united lives were spent.

Communication with Bedford in those days was by no means as easy as its comparative proximity to the city would lead one to suppose. A stage ran at intervals, but was hardly adapted to furnish a convenient service for frequent intercourse between the two places. As Mr. Jay writes to his sister: " It is unfortunate that the stage goes out the same day that your letters are delivered. I am obliged to answer them instantly, and as it is in office hours that they come, I have to do so in the midst of an hundred interruptions." No one, however, appreciated the situation more than her brother, and he adds: " I beg you will not hesitate to give me commissions whenever I can be of use to you. There are seasons when I am incessantly employed, but there are also others when I have leisure and which I can not employ more agreeably than in being of service to you and the family."

The resources of a small Westchester village were practically *nil*, and Mr. Jay was only too glad to do what he could by way of purchasing some of the household supplies in town. Getting them up to Bedford was another question. Was it

a book, or some stationery, or some medicine that Peter would kindly send up, they would go by stage, but then the stage would often not run at all for days at a time when the snow was deep in winter. And in the summer-time, when provisions and heavy freight were to be laid in, such as " four barrels of flour," or " a quarter cask of *good* dry Lisbon wine—perhaps such may be had of Mr. Farquhar, or of Judge Benson's nephew," as writes the Governor, they would be sent by the sloop *Volunteer* for " Sinsing," in care of Squire Wood, but even this means of transportation sometimes failed to give satisfaction. Perhaps the " light, baffling airs " of the Tappan Zee, together with a pleasant aroma from that cask of good dry Lisbon, tempted the Captain of the *Volunteer* to linger awhile under the shadow of Verdrietege Hook to taste the quality of the foreign vintage, he doubtless replenishing in full with Hudson's sparkling fluid. At any rate, suspicion lies heavily against him, for we have the Governor's word that " the wine last sent differs from that which we had before," and again he writes, " The spinning machine you sent for Nancy has not yet come to hand from Sinsing."

In addition to a very large law practice Mr. Jay had constant employment in investing funds for his clients, as well as for members of his family. The channels for investment were then exceedingly few, being limited to United States Stock, Bank and Fire Insurance Stock, Mortgages and Real Estate. Among the shares which were well thought of by Mr. Jay were those of the Merchants Bank, Manhattan Company and Bank of America, and the Globe and Washington Insurance Companies. An order such as the following from

his father is typical of many received by him: " Having last week received a little more than five hundred dollars, and expecting soon to receive further sums, I wish you to purchase for me with the money in your hands, to the amount of eight hundred dollars, such stock as in your opinion would be most advisable." It seems, however, that in those days, no less than now, investors had to keep a watchful eye on the legislatures. Surprises, in the way of additional taxation, or measures unfavorable to their securities, were constantly occurring. A little later John Jay writes to his son: " It appears to me advisable to dispose of some of my Bank Stock, and therefore desire you to sell as many of my shares in the Merchants Bank as from circumstances may, in your opinion, be prudent, and invest the proceeds in stock of the United States. I am apprehensive that the State Tax on dividends may eventually, and perhaps soon, diminish the value and price of the one, and increase that of the other."

The War of 1812 had now broken out, and while it lasted the problem of getting any return at all on money by investment was a very serious one. Business in New York was almost at a standstill, and idle capital accumulated at that centre. The fear of a visit from the British was an additional source of alarm, and on account of it many people actually moved out of the city. Mr. Jay writes to his sister in September, 1814: " There is less alarm here than I expected to find, and I begin to hope that the English do not intend to visit us from their delay in coming. I think they would at least be collecting their strength near this if they meant to attack us and not remain in the Chesapeake. However, I shall take Papa's ad-

vice on the subject, and am going with Mary to Rye to-day and to Bedford to-morrow." A week later he writes: " It is said the British have been beaten at Baltimore and General Ross killed. If so, we shall, I think, be safe here till next year." Matters apparently grew worse, for on January 21, 1815, he again writes: " We are all anxious to hear from New Orleans. Property to a large amount is owned by merchants here and stored in that place. One of the Ogdens, it is said, has cotton there to the amount of $ 120,000, and the whole quantity of cotton at New Orleans is supposed to be of the value of many millions of dollars. But the worst consequence of its being taken will be the probable continuance of the war."

Little did he think that while he was writing these words, the country was at peace with Great Britain, the treaty of Ghent having been signed on Christmas day, 1814, and the battle of New Orleans having been won by General Andrew Jackson several days later. The news of the battle did not reach New York until February 6, 1815, nor did the people hear that the treaty of peace had been signed until February 14. On the following day Mrs. Jay in a letter to Mrs. Banyer, at Albany, says: " Were you not overjoyed at the news of peace? You cannot imagine the change it has made in the countenances of people here; every eye sparkles and congratulations are continually exchanged. Goodhue, who had determined to give up his house, has taken a lease of it for three years. When the trety is ratified we are to have a grand illumination and, I am told, fireworks."

At that time there were no savings-banks or other institu-

tions allowing interest on deposits, and the inconvenience of having funds uninvested can be seen from the following, written by Mr. Jay to his sister in 1814: "I have not yet disposed of your money. If there were any reasonable hopes of peace I should purchase bank stock. But in the present state of things I think that would be risking too much, and have agreed to lend it to Trinity Church. They do not want it immediately, and I have agreed to keep it till they do want it, which will probably be in about two months. By this means you lose interest in the interval, but I preferred this arrangement as being upon the whole the most secure."

It is interesting to note here the part which Mr. Jay took in establishing the savings-bank system in New York. Doubtless his knowledge of investments and experience among investors impressed him and others—notably John Pintard and Thomas Eddy—with the need of a savings-bank to benefit the working classes, encourage thrift, and help such as might not be able to make safe investments for themselves. On November 29, 1816, a number of citizens, most of whom belonged to the "Society for the Prevention of Pauperism," met in the assembly rooms of the City Hotel on Broadway to discuss the advisability of establishing a savings-bank. From that meeting dates the origin of the Bank for Savings, the oldest institution of the kind in New York State, and, with one exception, in the United States. The account of the meeting as it appeared in the newspapers the next day is as follows:

"Thomas Eddy was called to the chair and J. H. Coggeshall appointed secretary. The object of the meeting was

stated and the principles of the proposed institution briefly and pertinently explained by James Eastburn, seconded by Dr. Watts. It was resolved that it is expedient to establish a Savings Bank for the City of New York. A constitution was submitted by Zachariah Lewis, which, having been read and its principles discussed, was unanimously adopted. The following were appointed directors: Henry Rutgers, Thomas R. Smith, Thomas C. Taylor, De Witt Clinton, Archibald Gracie, Cadwallader D. Colden, William Few, John Griscom, Jeremiah Thompson, Francis B. Winthrop, Duncan P. Campbell, Joseph H. Coggeshall, James Eastburn, John Pintard, Jonas Mapes, Brockholst Livingston, William Bayard, William H. Harrison, Rensselaer Havens, William Wilson, Richard Varick, Thomas Eddy, Peter A. Jay, John Murray, Jr., John Slidell, Andrew Morris, Gilbert Aspinwall, Zachariah Lewis, Thomas Buckley, and Najah Taylor."

At a meeting of the directors several committees were appointed, one of which was to apply to the Legislature for an act of incorporation. This committee was headed by Peter A. Jay. It proved no easy task to convince the committee of the Legislature which considered the application of Mr. Jay, and after months of deliberation they reported as follows to the General Assembly:

" The committee submit the following as the result of their investigation on the subject:

"That, however desirable it may be to encourage the poorer classes of the community to save their hard earnings, and to produce habits of industry and economy by holding out motives of interest to them so to do, still the committee are not

convinced that under the present state of society in this country, an institution like this, which may be beneficial under other circumstances and in older countries, can be put into operation with advantage. The expense necessarily attendant on such an establishment will lessen if not defeat the benevolent views of the petitioners. And the committee have yet to learn whether the object might not be accomplished with a greater prospect of success, and at the same time avoid a new corporation, by making an arrangement with one of the banks in New York to allow one of their clerks to transact the business for a small extra allowance.

" But, as the principle is a new one, the committee are unwilling to preclude, by any opinion of theirs, the subject from coming in the usual manner before the House, and they, therefore, are induced to ask for leave to report by bill."

It was not until 1819 that the Bank for Savings was finally able to secure a charter. On the 3d of July it opened for business in a small room in a building which stood on the south side of Chambers Street, now the northwest corner of the City Hall Park. Over the entrance was a gilt beehive, and inside was a bust of Franklin bearing the motto: " Take care of the pence, and the pounds will take care of themselves."

The Bank for Savings was a success from the beginning and soon outgrew its quarters. After moving twice to other rooms on Chambers Street, ik built for itself, in 1856, a house at 67 Bleecker Street, and is at present established at the southwest corner of Fourth Avenue and Twenty-second street in a

massive building only recently completed. In 1828 Mr. Jay became first vice-president of the bank, having in 1826 held the office of third vice-president and in the following year that of second vice-president. In 1838 he resigned his office and retired from the bank. The amount of money on deposit in 1837 was $ 3,533,000. At the present time the bank has 150,994 depositors, and the sum on deposit is $74,480,000 —an amount exceeded by that of only one or two other savings-banks in the country. And yet the New York Legislature in 1816 advised that it would be sufficient that a bank clerk be assigned to do the work for an extra allowance instead of undertaking the expense of maintaining a savings-bank!

The death of another brother of the Governor now occurs, leaving only two of the ten children surviving. Mr. Peter Jay, the elder of the two blind children, died on the 8th of July, 1813, in his seventy-ninth year. He succeeded to the Rye estate after the death of his father.

Notwithstanding his lifelong affliction, he had always displayed wonderful ingenuity and sagacity. He was possessed of a firm mind and an excellent character. At the age of fifty-five he married Mary, a daughter of Evert and Elsie Duyckinck. Mrs. Jay was born September 14, 1736, and with her niece Effy continued to reside in the Rye house.

Before the introduction of steamboats by Fulton in 1807, Mr. Jay, going to visit his sister, generally travelled to and from Albany on horseback, but later came to patronize the steamboat. In September, 1814, he writes: "We had a charm-

ing passage down in the *Fulton*. The accommodations are in the best style and I think the difference of price beyond that paid in the sail boats compensated by the difference in comfort." Steamboats then made the trip from New York to Albany in thirty-six hours, or at the rate of between four and five miles an hour, and the fare was seven dollars. As the sloops and schooners were from four to seven days in making the voyage between the two cities, passengers willingly paid the increased fare on the steamboats. This enterprise became so successful that in a short time incorporated companies were established to promote the traffic, and in 1816 Mr. Jay was a stockholder in the North River Steamboat Company.

Sir James Jay survived his brother Peter scarcely more than two years. In 1748, he had been sent by his father to Bristol whence he was to go to London to study the Classics, French and Mathematics. During his absence he applied himself also to other studies and in a list of American graduates in Medicine in the University of Edinburgh for 1753, a record appears of " Jacobus Jay, Nov. Eboracensis." The following year he was a physician to an Infirmary in London. On another visit to England he was requested to solicit contributions for King's (Columbia) College, and on the 25th of March, 1763, King George III conferred on him the distinction of Knighthood for his success in the undertaking. He returned to America prior to the Revolution, and during the British occupation of New York was confined in prison in that city, but was at once released on the arrival of Sir Guy

Carleton in 1782. He was a Member from Rye, Westchester County, southern district, of the New York Senate in 1778—1781. Continuing the practice of his profession at Springfield, near Newark, New Jersey, he died there October 20, 1815, aged eighty-three.

Doctor Samuel L. Mitchill, prominent in the social, literary and scientific institutions of New York, in a letter of December 31, 1812, to his wife, wrote: " Sir James Jay has just left me after having favored me with one of his most interesting discourses. He is an extraordinary man—to cross the ocean, to travel by land and to walk and ride about the world as he does at the age of more than fourscore."

On June 11, 1815, the fourth child of Mr. and Mrs. Jay was born in New York. A month later Mr. Jay remarks in a letter to his sister: " The little girl, too, is very fat and very hearty. She has been baptized Catherine Helena after old Mrs. Walter Rutherfurd and Mrs. John Rutherfurd."

The next year a committee, consisting of Messrs. W. Neilson, Jr., Wm. Henderson and David B. Ogden called upon Mr. Jay to inform him of his selection by the General Committee of the Federal Republicans as one of the candidates for the House of Assembly, expressing the hope that nothing would induce him to decline it. Mr. Jay did not decline, and being elected, attended the session which was convened at Albany on the 30th of January, 1816, and adjourned on the 17th of April, 1816. Among his colleagues representing the city of New York were Philip Brasher and Gen. Edward W. Laight. Daniel D. Tompkins, Republican, was Governor at the time. At this session the most prominent Federal

speakers, says the report, were William A. Duer, Peter A. Jay, Jacob R. Van Rensselaer, James Vanderpoel and James Lynch, all gentlemen of conceded ability and influential members of the party. Various subjects invited the attention of the house, but none of more importance than a measure recommending the construction of the Erie Canal. Mr. De Witt Clinton was a zealous advocate of the project. A large public meeting was also held in Albany to help advance the object, and in furtherance of this enterprise an act was passed by the Legislature entitled " An act to provide for the improvement of the inland navigation of this State." This measure met with the warm support of Mr. Jay. In Dr. David Hosack's Memoir of De Witt Clinton, we read:

" Another class of benefactors to the system of canal navigation may still be added, consisting of those who mainly contributed to its ultimate success, by obviating the difficulties and impediments which were accidentally or intentionally thrown in the way to oppose its progress, or entirely to defeat and frustrate the undertaking; for even after the subject had been well understood by the members of the Legislature and the bill was in its passage through the two houses, obstacles were still presented at every step, which required all the genius and energy of the friends to the project to meet and counteract.

" To the Hon. Cadwallader Colden, Martin Van Buren, Jacob Rutsen Van Rensselaer, James Lynch, Peter A. Jay, William Ross, and William A. Duer, the State owed a debt of gratitude for their patriotic exertions in behalf of the Canal."

On the 3d of April, 1816, the house, as the first business of the day, resolved itself into a Committee of the Whole upon the bill. Mr. Duer was in the chair. The consideration of the bill was resumed in Committee of the Whole on the 5th, and taken up again on the 10th. On the 11th the Committee of the Whole was discharged from further consideration of the bill, which was referred to a select committee consisting of Mr. Oakley, Mr. Peter A. Jay, Col. Leavenworth of the Army, Mr. Russell, and Mr. Vanderpoel of Kinderhook. The fate of the bill seemed now more critical than ever:

" The selection of the Committee was peculiarly fortunate, since, being a member of the Committee, and an ardent friend of the project, it brought Mr. Jay out more actively in the cause, than he would otherwise, perhaps, have deemed it his duty to engage. The commanding talents and high personal character of Mr. Jay, the wisdom of his remarks, and the affability and courtesy of his demeanor, were circumstances eminently calculated to favor the cause which he now vigorously espoused—and the force of his powers was soon felt. The consideration of the bill, in its amended form, was resumed in Committee of the Whole on the 13th in the morning: when, after an animated debate, the first section was adopted." In the evening session which followed, it was proposed to impose a local tax on the neighboring lands along the middle section. This proposition, adopted, tended very much to soften and abate the fear of the opposition, and things once more assumed a brighter aspect. A great variety of amendments were made to the bill: the date when the canal was to be commenced, its expenditure, commissions appointed, etc.

In this shape substantially it passed the Assembly by a vote of 83 to 16 and was sent to the Senate for concurrence.

Eight years were spent in constructing the Erie Canal. On October 26, 1825, it was formally opened from Buffalo to Albany. The first canal-boat to go through, the *Seneca Chief*, had on board Governor Clinton, Joshua Foreman, Chancellor Livingston, Thurlow Weed, Col. W. L. Stone and Gen. Stephen Van Rensselaer. The arrival of the party in New York harbor on November 4 was the occasion of an immense public celebration.

While the Legislature was in session Mr. Jay, with his son John, stayed with his sister, Mrs. Banyer, at Albany. Mrs. Jay remained with the other children in New York. The latter took a great interest in the questions of the day and followed closely the debates in the Legislature as reported in the "Courier." On one occasion she writes to Mr. Jay: "I cannot express to you the pleasure I felt at seeing your speech so highly complimented. All your friends are gratified and I hear your praises repeated continually. A day rarely passes without my seeing your name and that of your father highly spoken of in the 'Courier.'"

In February, 1816, the nominations for the New York gubernatorial election in April were made. Mr. Jay was asked to be the Federal candidate, but declined. Writing to him on this subject, Mrs. Jay says: "I hear you spoken of for the next Federal candidate for Governor. I can only say I hope it is not so, for though I feel flattered to hear your praises and to see justice done to your talents, I yet think our domestic fireside preferable to all the fame, and can almost

venture to say that it is your opinion, but you are actuated by a nobler motive—love of your country." Again she writes: "What you tell me of their wishing to nominate you for the office of Governor is nothing new. I have already heard it from several who have regretted you would not accept." On February 16, Mr. Jay wrote to Senator Rufus King offering him, on behalf of the nominating committee, the Federal nomination for Governor. A few days later Judge Morris S. Miller of Utica writes to Mr. Jay: "You express doubts as to Mr. King's acceptance. You probably will have his answer before this reaches you. I hope he will not decline—that would make 'confusion worse confounded.' You ask what is to be done if Mr. King declines. I ask what can be done, but to have a meeting at Albany, and nominate somebody else, and I think every day's delay will do us injury. The suspense in which the Party has been kept will certainly operate against us; the longer it is continued the worse it will be. You will, I have no doubt, excuse me for saying that I hope one day to see you Governor, and I therefore hope you will not consent to be the candidate now."

Mr. King accepted the nomination, however, and Congressman George Tibbits was nominated for Lieutenant-Governor. The Republican candidates opposed to them were Daniel D. Tompkins, for Governor, and John Taylor, for Lieutenant-Governor. In the course of the ensuing campaign Mr. Jay made a speech in which he vigorously assailed those responsible for bringing on the War of 1812 and presented a strong argument for the return of the Federalist party to power. As a clear statement of the political situa-

tion at the close of the war, this speech, which follows below, should be of interest.

" To the Electors of the State of New York.

" *Fellow Citizens:*

" The time will very shortly arrive when you are again to choose the persons who are to administer the Government of this State.

" In exercising this inestimable privilege every good citizen, divesting himself of prejudice and passion, will be guided solely by reason and experience. We beseech you to attend to this admonition and to consider whether those who now rule over you have merited a continuance of your confidence.

" At the time when the party now in power assumed the management of your affairs our country was enjoying unexampled prosperity—our Agriculture and our Commerce flourished and amid all the storms which then agitated and desolated Europe our Government had maintained abroad the respect which was due to the American name.

" It will not be denied that these blessings were owing to the Federal Constitution and to those who had framed, who had adopted, and who had administered it. Why then were they dismissed?

" It was because you were promised still greater prosperity by those who were eager to occupy the offices which had been filled by Washington and his disciples.

" How have they fulfilled these promises?

" They told you that the funding system was an enormous evil and that the public debt should be discharged, and they

have themselves increased that debt by one hundred and fifty millions of dollars.

" They told you that a standing army was dangerous to your liberty, and they keep on foot a standing army of 10,000 men in time of peace, and their present candidate for the Presidency has recommended that double that number should be maintained.

" They told you that the taxes were unnecessarily heavy and promised that the citizens should no longer behold the face of the tax-gatherer, and that nothing should be taken from the mouth of labor to supply the necessities of the state. They have multiplied tax-gatherers tenfold—they have doubled the duties on imports and more than trebled the amount of the other taxes.

" Has their conduct in relation to foreign affairs been more wise or more beneficial than their domestic administration?

" Complaining of enormous injuries committed by Great Britain, they determined to retaliate by an embargo on American commerce. At a time when none but the British and American flags floated upon the ocean they thought to destroy the British commerce by prohibiting ours, as if the English trade must be ruined for want of a rival. A blockade of our ports, such as our enemies afterwards maintained at so enormous an expense and so great a risk, was instituted by our own rulers and enforced by a series of oppressive laws executed by Custom-house officers. Well might such a measure extort sarcasm instead of submission from the English ministry.

" When this expedient failed, they substituted for it a sys-

tem of non-importation, their own sense of which is to be found in the commercial convention which they have lately ratified, in which they expressly stipulate they will not again resort to it.

" But they now claim your confidence on account of the wisdom they displayed in the conduct of the late war and in concluding the treaty which terminated it.

" We will say nothing of the prudence which commenced an offensive war before any preparations were made for carrying it on, nor of the errors committed in the cause of it. Nor will we remind you of the arbitrary tone which the administration assumed, nor of their recommendation to fill the army by conscription and to man the navy by impressment—nor of the suppression of the liberty of speech in Congress,—but we *will* ask what have the people gained by the war?

" Has Great Britain renounced her claim to impress her seamen from on board our vessels? Has she renounced her doctrine of blockades? Has she promised compensation for the injuries complained of under her Orders in Council?

" We have lost by the war the right of fishing on the shores of Newfoundland. We have left the British in possession of a part of the ancient territory of the United States, and we have submitted to arbitration boundaries that had been solemnly settled at the peace in 1783. But, we repeat it, what have we gained? An addition of at least one hundred and twenty millions of dollars to the national debt and a load of taxes which will probably descend to the latest posterity.

" Has Great Britain lost anything by the war? If so, what is it? Does any one doubt that before hostilities were com-

menced she would joyfully have assented to a treaty precisely like that of which our administration boasts? For what, then, had so much blood been shed and so much treasure expended?

" This war, like every other, has afforded opportunities of displaying the conduct of those who were engaged in it, and we acknowledge with gratitude and pride the valor and the patriotism which our countrymen have shown upon the ocean and the land. But it is to be remembered that a soldier may acquire glory on the same field where his commander is disgraced, and that a commander may gather laurels while obeying the injudicious orders of a weak administration.

" If neither the war nor the peace has produced any solid advantage, those who conducted the one and negotiated the other can derive from them no right to demand our applause.

" Upon examining the situation of our own State, we shall find its finances dilapidated, a heavy debt incurred, its ordinary expenses greatly increased and its ordinary revenues diminished—we shall find a spirit of party animosity cherished and encouraged and made the very foundation to support the power of those in office. We shall find that they who have most loudly and importunately proclaimed their attachment to the people, ready to violate their rights whenever it may be necessary to gratify a sordid appetite for the emoluments of office. We remember when they burned the volumes of whole counties, and we have recently seen them appoint in effect the whole Magistracy of the State by the vote of a man who they knew had received from the people no authority whatever.

" We beseech you, fellow citizens, to reflect and examine for yourselves whether we have advanced anything in this address unsupported by facts; and if not, whether the warnings of experience and the counsels of reason do not equally show the necessity of a change in the administration of your affairs.

" Being ourselves fully persuaded of that necessity, we respectfully propose to you, as a person proper for the office of Governor, the Honorable Rufus King. His known moderation, his long and eminent public services both at home and abroad, his acknowledged talents and his unsuspected integrity are pledges that, if elected, he will not be the mere instrument of party, but the able and impartial Chief Magistrate of the State. Unconnected with local politics, he has no resentments to gratify nor partialities to indulge, and we may reasonably hope that his administration will add to the prosperity and reputation of this great and respectable State.

" We also recommend to you for the office of Lieutenant-Governor, the Honorable George Tibbits, whose experience in Congress and in the Senate of this State has qualified him for that situation and whose services and character are generally known.

" We will only add our confident hope that every elector, by whatever political denomination he may be known, shutting his ears against the malevolent calumnies which too often disgrace our elections and resisting every attempt to influence his passions, or to bind him, against his convictions, by party engagements, will act according to the dictates of his own cool and deliberate judgment.

" It is thus only that we can preserve our liberties, or render them a blessing, thus only that we can discharge the duties which we owe to our posterity, to our country, and to the great Author of all the privileges we enjoy."

The Republican party was already in power. Governor Tompkins, who had been in office since 1807, presided over the affairs of the State throughout the war. The party was divided into two wings—the Madisonians in favor of the war and supported by Gov. Tompkins,—and the Clintonians, opposed to the war in the beginning, led by De Witt Clinton. The Federalists, on the other hand, represented the peace party. Since 1800 the Federalists had slowly declined in power, and as their patronage gradually fell away they had nothing with which to sustain their adherents. They made a determined stand against the war, but opposition to it, however viewed in later times, was then unpopular. When peace was declared, Governor Tompkins became more in favor than ever; and in the general enthusiasm which followed, the Republicans were victorious at the polls in 1816. Early in the following year Governor Tompkins resigned. He was now to succeed to the Vice-Presidency, and De Witt Clinton was elected Governor in his place. The ascendancy of Clinton practically marked the end of the Federalist organization, some of their best element subsequently going over to his side.

Mr. Jay was again selected as one of the candidates for the ensuing election for the House of Assembly, but while expressing his grateful feelings for this renewed proof of the

confidence of the committee, he stated that circumstances constrained him to decline a re-election.

On the 22d of April John Jay wrote to him: "I am glad that your legislative labors are terminated. Your having declined being a candidate at the next election meets with my approval. In my opinion, your duty does not at present either require or authorize a sacrifice of that kind."

At the first session of the following year, Governor Tompkins, in his message, recommended the entire Abolition of Slavery in the State on and after the 4th of July, 1827. The recommendation was favorably received and an Act to provide for its adoption passed, thus removing forever this iniquitous institution from the State. The energetic action of such men as Peter A. Jay, William Jay, Cadwallader Colden and Governor Tompkins, as we learn from newspapers of the period, contributed to this result. Writing on this subject, McMaster says:

"The *status* of slavery had long been regarded as settled. No one, at least at the North, supposed for a moment that another slave State could ever be added to the Union. Even the literature of anti-slavery ceased to appear. The moment, therefore, the Missouri struggle, following upon the Louisiana Purchase, brought up the question of the further extension of slavery, the North was violently excited. A great meeting was held in the Boston State House to protest against any such action. The Philadelphia meeting took the ground that the slavery of human beings was the greatest evil in the United States, that it was at variance with the Declaration of Independence and with the principles of universal liberty and

human rights. At Baltimore the citizens gave expression to like sentiments."

The subject of slavery and the suppression of the slave trade always interested Mr. Jay. An article which we find in the "Evening Post" for November 19, 1819, seems peculiarly fitting to be introduced here. The article recites: "Last evening a general meeting of the citizens, consisting of at least *two thousand*, was held at the Assembly Room, in the City Hotel, for the purpose of expressing their sentiments of the danger to be apprehended from the toleration of slavery in any new State or Territory that may be hereafter admitted into the Union.

"Matthew Clarkson, Esq., was called to the chair and John T. Irving appointed Secretary.

"The meeting being thus organized, Peter A. Jay, Esq., rose and addressed those present in a neat impressive speech, ponting out in a feeling manner the cruelty of slavery and the evils which would ultimately result to this country if it were not prohibited. He concluded by offering a set of resolutions. Among those present were William Bayard, Henry Rutgers, Archibald Gracie, Jonathan Goodhue, Charles Walker, George Newbold, Thomas Addis Emmet, Richard Varick and Samuel L. Mitchill."

Mr. Jay was now engaged in making arrangements for building a home for himself. His new residence was No. 398 Broadway, at the southeast corner of Broadway and Walker Street. According to the contract, the house was to be of Philadelphia brick, with stone trimmings, 28 feet front, three

stories and garret, with stable in the rear, calling for a total expenditure of $ 13,700. He moved into the new house in 1819, and continued to occupy it until his death. Walker Street at that time was very far out of town. A writer of the period says: " The few disconnected cottages which occupied the east side of Broadway between Franklin and Canal Streets began to give way before the march of improvement about the year 1818. Handsome residences were then erected between Franklin and White Streets and between White and Walker Streets. The first improvements were made by Mrs. Banyer, widow of Goldsborough Banyer, and by Peter A. Jay."

Soon after moving into their new house, a daughter was born to Mr. and Mrs. Jay. The date of her birth was September 12, 1819, and her name Anna Maria.

Among the Jay papers we find the following correspondence, with later letters, between Mr. Jay and Dr. Robert Hare, the distinguished physicist and chemist of Philadelphia:

" May 31, 1819.

" *Dear Sir:*

" I regret my being absent when you did me the honor to call on me at the hotel. As I shall probably return to Philadelphia early in the morning, there will be no opportunity, I fear, of making any acknowledgments personally. I take this mode therefore of making them both for this and former civilities, and at the same time send you some of my recent productions, which I shall feel much more satisfied with my-

self should they meet your approbation. With great esteem and respect,

" I am yours sincerely,
" ROBERT HARE.

" PETER A. JAY, Esq."

" NEW YORK, June, 1819.

" *Dear Sir:*

" I am much obliged to you for the pamphlets you were so kind as to send me, particularly for that on the ' Calorimotor.' Though my acquaintance with the physical sciences is very superficial, it is not difficult to convince me of their extensive utility. There are few who can boast of knowing all that their predecessors have learned, and to the few who add to the general stock and enlarge the bounds of human knowledge not only honor, but gratitude is due. The first discovery concerning galvanism was, I believe, its effects on the nerves of animals—afterwards, the means of exciting it—its similarity to mechanical electricity (whence their identity was, perhaps, too hastily inferred) and its power of producing intense heat. These, however, are mere facts, furnishing no theory to explain its phenomena, or to guide the inquirer in his search after the nature of this powerful agent. You have now taken another step which promises important results. If you succeed in establishing the affinity you seem to have detected between the matter of heat and that of galvanism, you will throw light on one of the most obscure subjects in Natural Philosophy. You will prove the materiality of both these agents. For to speak of attraction, between the mere

affections of bodies, seems to be scarcely sense. You will explain the rationale of some mysterious operations of nature, and may be ultimately led to discoveries of as much consequence as the lightning rod. I hope you will not desist till you have demonstrated the fact of this affinity, which you have already rendered highly probable, and that you will pursue the enquiries which it suggests. Should there be any electricity in the sunbeam? Is there any connection between the facts you mention and the cause of the thunder showers which occur at the close of a hot summer day, or of the sudden abstraction of heat from the rain drops which occasion hail, or of what is termed heat lightning? Do they tend to explain some of the ordinary effects of lightning, such as the destruction of the unhatched chicken or the souring of milk, etc.?

" If I might venture on a verbal criticism, is not this word, ' Calorimotor,' too nearly allied in sound to ' Calorimeter,' and might not another be found free from this objection? If I am not mistaken, your new doctrine is to make a noise, and to be written and talked of, and in such case even names are of some consequence.

" I am, dear sir,

" Yours very sincerely,

" PETER AUGUSTUS JAY.

" Doctor HARE."

Doctor Hare, before he was twenty, discovered what he called " a hydrostatic blow-pipe,"—it was also known as " the compound blowpipe." Silliman says it was the ear-

liest and perhaps the most remarkable of Doctor Hare's original contributions to science. In 1816 he invented the "Calorimotor," which forms one of the subjects of the correspondence. This instrument was a form of battery by which a large amount of heat was produced. About two years later he again called on Mr. Jay and subsequently wrote him the following letter:

"June 22, 1821.

"*Dear Sir:*

"I called at your former residence last evening, but found you had removed without being able to learn whither.

"I ought sooner to have made my acknowledgments for your favor of the 6th, but it has been my intention to do it when I have leisure to reply more fully. Would you allow me to hand your letter to Professer Silliman for his Journal? It is my expectation to discuss in that work the preliminary properties or nature of heat, or electricity, on which the hypothesis in my memoir is founded. I might do it by way of reply to you.

"I am, sir, with esteem and respect,

"Yours sincerely,

"ROBERT HARE.

"PETER A. JAY, Esq."

"In answer to your objections to the word, 'Calorimotor' I beg leave to observe that, as Volta had used the term 'Electromotor,' notwithstanding the previous word 'Electrometer,' I had a high authority in favor of that name. I was

unwilling to lose the possible influence of the analogy in aid of the discrimination of my hypothesis—thus, the uses in which words of less difference in sound have distinct meaning are numerous in language."

In 1820 Mr. Jay received the appointment of Recorder of New York. That he should have been selected from among all the Federalists, spontaneously and without solicitation, by the Governor, De Witt Clinton, who was not in political sympathy with him, manisfested in a marked degree the respect and esteem which Mr. Jay evoked.

The same sentiments, probably, suggested the letter which we subjoin, and we also insert Mr. Jay's reply:

" ALBANY, January 28, 1820.

" PETER A. JAY, Recorder.

" *Dear Sir:*

" I will receive with great pleasure any communication from you respecting appointments in New York. It is no compliment to say that I repose entire confidence in your candor and in the purity of your views.

" I am, dear Sir,

" Yours truly,

" DE WITT CLINTON."

" NEW YORK, February 8, 1820.

" Governor CLINTON.

" *Dear Sir:*

" I have had the honor of receiving your letter of the 28th

ult., and ought to have thanked you for it before. A short absence from the city and a desire to state what had been done on the subject of Senator, etc., has induced me to delay it, but nothing is yet decided on that point.

" I am sensible of the honor you do me by allowing me to write on the subject of appointments. I shall avail myself of this permission sometimes, but shall do so sparingly because I know the multitude of applications with which you must be harassed and that you are yourself well acquainted with this city.

" With my best respects to Mrs. Clinton, I have the honor to be,

" Your obedient servant,

" PETER AUGUSTUS JAY."

At about the same time, Bishop Hobart, of the diocese of New York, a representative High Churchman, wrote to Mr. Jay to inform him that he had been appointed by the convention a Vice-President of the Protestant Episcopal Theological Society. Mr. Jay declined the office.

Mr. W. W. Van Ness, whose career as a Judge was most brilliant, had been a Federalist leader in the Assembly. He writes to Mr. Jay in 1820:

" ALBANY, January 4, 1820.

" PETER A. JAY, Esq.

" *Dear Sir:*

" With great pleasure I announce to you our first victory over Jacobinism, Apostacy and Faction. John C. Spencer is

elected Speaker; not more than four or five men who have been considered as Federalists have gone over to the enemy. I am warranted, I think, in saying that you will be the Recorder of New York for another year at least. Mr. Rufus King will be the Senator, though a strong effort is making to prevent it.

" Believe me to be,

" Very sincerely yours,

" W. W. VAN NESS."

" NEW YORK, January 14, 1820.

" Hon. W. W. VAN NESS.

" *Dear Sir:*

" I am much obliged to you for your letters of the 4th and 11th inst. Had the opposition really opposed Mr. Rufus King's election, I should have thought it the most singular incident which has occurred. I am particularly happy to learn that the Federal gentlemen are nearly unanimous. To the Federal party our country owes its prosperity. I have been educated in their principles, and though it is probable that in future they will only occasionally, and as it were by accident, have the ascendant, I should be exceedingly unwilling to detach myself from them.

" I earnestly hope they may continue to act together. If they divide, the little strength which remains to them will be withered.

" I am, dear Sir,

" Your very obedient servant,

" PETER AUGUSTUS JAY."

Judge Van Ness's predictions were not verified. The Council of Appointment, elected at the extraordinary session in November, 1820, was not called together until the 12th day of January following. The proceedings of this Council, as we read, beside many others, removed Cadwallader D. Colden from the Mayoralty of New York to make room for Stephen Allen, and Richard Riker was appointed Recorder in the place of Peter A. Jay.

Upon his retirement Mr. Jay received from the New York Bar the following testimonial of its appreciation of his services as Recorder:

" To the Honorable PETER A. JAY, late Recorder of the City of New York.

" *Sir:*

" The New York Bar, through the undersigned their Committee, take the opportunity offered by your retirement from office, to express to you the high sense they entertain of your deportment as a gentleman, your ability as a Lawyer and your impartiality as a Magistrate, in the discharge of the laborious duties of the Recordership of the City of New York.

" Permit us also, Sir, at the same time, to express the great satisfaction we feel individually, in conveying to you the sentiments of the Body we have the honor to represent and in assuring you that those sentiments are fully in coincidence with our own.

" Many causes of great and general importance have been decided by you during your administration. The Bar, conscious of the intelligence and legal ability which have charac-

terized your decisions and placing full confidence in their accuracy, are anxious to annex them to the general fund of professional learning. We have, therefore, been instructed by our constituents, while thus presenting to you their expressions of approbation and regard, to request that those decisions may be placed under their control for publication.

" We have the honor to be, etc.,

" JOHN ANTHON,
" E. W. KING.

" NEW YORK, March 30, 1821."

" NEW YORK, March 30, 1821.

" JOHN ANTHON, Esq.,
" & E. W. KING, Esq. } *Committee.*

" *Gentlemen:*

" Permit me through you to express my hearty thanks to the New York Bar for their kind approbation of my conduct which you have so politely communicated. In returning to the practice of my profession it is exceedingly gratifying to find that I possess the esteem of my brethren. This new and unexpected proof of their friendship has added to the gratitude I have already felt for their deportment towards me while I was upon the Bench.

" In relation to the Decisions of which their partiality has induced them to speak in such flattering terms, I cannot think them of sufficient importance to justify an addition to the mass of legal publications which is continually accumulating and becoming burthensome to the profession.

" With very sincere respect and esteem for the gentlemen of the Bar and for yourselves individually,

" I am, gentlemen,

" Your very obed't serv't,

" PETER AUGUSTUS JAY."

In June, 1821, a special election was held for the choice of delegates to a Convention to revise the Constitution of the State of New York. From Westchester County the successful candidates were Peter A. Jay; his cousin, Peter Jay Munro; and Jonathan Ward.

The Convention of 1821 marks the culmination of an epoch in the constitutional history of New York State, notable for the strict adherence to the usages and institutions of a former century, and the brilliant, though conservative, administration of a powerful judicial establishment. This ancient *régime*, so to speak, from its very inflexibility and concentration of power, was bound in course of time to succumb before the advancing tide of democratic principles and make way for an era hitherto unknown of political freedom and power granted to the people.

Two of the chief reasons for desiring to amend the Constitution at this time were discontent with the property qualifications for electors and a growing distrust of the political power of the Judiciary. Since the State Constitution had been adopted in 1777 the growth of the population had been very large, but the number of freeholders qualified to vote for Governor and other officers had not increased in anything like the same proportion. This made the people at large

anxious for a change. Then again, in the minds of the truly democratic men of the day, the power of the Chancellor under the Constitution was altogether too great. Even the *term* "chancellor" was repugnant to them as being associated with monarchical government and suggestive of royalty. But the principal cause of complaint was the power of veto on all legislation held by the Chancellor as a member of the Council of Revision, in which he sat together with the Judges of the Supreme Court and the Governor. The New York Court of Chancery, under Livingston and Lansing, had achieved a prestige, the consummation of which was realized upon the elevation of Kent to the chancellorship in 1814. The brilliancy of Kent's career was not compromised by any innovations, but, while content to abide by the constitutional limitations of his office, he nevertheless jealously guarded, to the very end, all the powers that were granted to him as a heritage, perhaps, from the English chancery system. When, in 1820, the Democratic party of revision passed a bill for a convention to amend the Constitution, the Council of Revision promptly vetoed it, the opinion being handed down by Chancellor Kent. This veto met with a storm of disapproval, being regarded as a typical example of the power of the Judiciary to defeat the will of the people. The following year the question was finally submitted to a popular election and carried by an overwhelming majority.

The convention, to which Mr. Jay had been summoned as a member, met at Albany on August 28, 1821. One hundred and ten delegates were present, out of a total of one hundred and twenty-five, representing all parties, Republicans (now

called Democrats), Federalists, Clintonians and Bucktails. Although the convention was organized along strict party lines, yet the coming contest was one between the forces of restless American progression, as opposed to those of the landed and legal interests which represented the old order of things; the independent rural element against the established citizenship of the urban communities. This may have been caused by the recent settlement in many of the newer central and western counties of the State, of pioneers from New England pushing westward towards the Ohio country. These people naturally brought with them the Puritanical ideas of government surviving in New England, and were not at all in sympathy with those prevailing in the older parts of New York—the outgrowth of colonial times. The representatives in the convention of this new element found a champion in Ex-Governor Daniel D. Tompkins, who was called " the favorite farmer's son." Uniting with the Democratic revisionists, they elected him President by a vote of 94 to 16. The chairman of each of the ten committees was, with but one exception, a Democrat. The key-note for what should follow in the next two months was thus definitely struck. Not that every question could be decided by such overwhelming odds; —many of the votes were very close, several standing 63 to 59, 61 to 59 and 62 to 53; but from the outset the revisionists knew their strength and pressed their advantage to the utmost.

On the other hand, the opposition, although decidedly in the minority, was only the more determined, and the debates called forth the ability and eloquence of its most distinguished

members. From Albany, and the other counties of the Hudson valley, such men as Chancellor James Kent, Chief Justice Ambrose Spencer, General Stephen Van Rensselaer, Peter A. Jay, Judges Jonas Platt and William W. Van Ness, all stanch upholders of the existing Constitution, met the attacks of the New York and Western delegations, among whom were Senators Rufus King and Nathan Sanford, John Duer, General Erastus Root, Martin Van Buren and Ex-Governor Daniel D. Tompkins. The debates which followed were as bitterly contested as any which the history of the State records. "Our prospects here grow more unpleasant," writes Mr. Jay to his father on October 10. "The more violent members of the convention begin to act more in a body and to gather strength. Upon the whole, there is a good deal of bad feeling, and I should not be surprised if something very violent should be attempted in relation to the Judiciary.... We have had a long and latterly angry contest about the appointment of Justice of the Peace. The dominant party, who gave up the Council of Appointment with great reluctance, were anxious to retain the power of appointing these magistrates at Albany, and Mr. Van Buren proposed a plan for this purpose which he openly urged on party grounds; others, very desirous that the minority should not be utterly excluded from office, proposed to elect Justices by the people. This enraged the Jacobins exceedingly, who were obliged to argue in contradiction to their own principles and professions. I voted against both plans and both were lost. The contest ended in the adoption of a scheme by which the power of appointing is lodged in the Supervisors and County Court.

The discussion has produced violent animosity between the followers of Mr. Van Buren and the New York delegation, and the latter seem to me to be alarmed and to be acting feebly."

The great question of extending the right of suffrage, as antagonistic to the property or freehold qualification, was distinctly presented and argued with equal talent and ability by those who favored, and by those opposed to, its adoption. The plan ultimately accepted was a compromise, the basis of the franchise being considerably enlarged. Mr. Jay was averse to making the suffrage universal, but favored its extension to the colored population, introducing his views on this subject in one of the most eloquent speeches made during the convention. His motion was carried by a vote of 63 to 59, but its effect was nullified later, when the whole question of the elective franchise was referred to a select committee of thirteen.

Among the other acts of the convention, the abolition of the Council of Revision, vesting a limited veto power in the Governor, assumed far-reaching importance. So also did the abandonment of the Council of Appointment, with its enormous patronage of over six thousand civil officers. The term of office for the Governor was fixed at two years instead of three. When the Judiciary question came up for discussion, there arose a wide divergence of opinion in the convention as to the reforms to be made. Some of the radical members even went so far as to suggest overthrowing the Court of Chancery and the Supreme Court. Here it was that the counsel of prudent men like Chancellor Kent, Mr. Van Vech-

ten and Mr. Jay carried such weight with the opposite party that no such revolutionary plan was put through. Only minor changes were made in the powers of some of the Judges, while the Supreme Court was reduced to three Justices.

The convention adjourned on November 10, having adopted the amended Constitution. Mr. Jay was one of the eight members who voted against it. Fifteen other members, including Chancellor Kent, Chief Justice Spencer, Judge Platt and General Van Rensselaer, withheld their signatures. " Many of the Democratic members were dissatisfied with it," wrote Mr. Jay to his father, " but did not dare to separate from their party. I think its chief defects are making the right of suffrage universal, rendering the Judges of the Supreme Court dependent, and vesting the power of appointment, in almost all instances, in the Legislature. There seems to be a passion for universal suffrage pervading the Union. There remain only two States in which a qualification, in respect of property, is retained. When those who possess no property shall be more numerous than those who have it, the consequence of this alteration will, I fear, be severely felt."

The new Constitution was ratified in January, 1822, by a popular vote of 75,422 against 41,497. Although considered revolutionary at the time, the effects of the amendments proved beneficial and of great importance, and in 1829 led to a revision of the statutes. The Court of Chancery had been divested of its political power by the overturning of the Council of Revision. Chancellor Kent, however, dit not long remain in office, but retired in July, 1823, upon reaching

the age limit of sixty years. It was not until 1846 that the Court was finally abolished.

The Constitution of the State of Massachusetts had been amended in a convention held shortly before the Albany Convention. In February, 1822, John Jay, who had naturally taken a great interest in both conventions, writes to his son Peter as follows: " President Adams was so obliging as to send me a volume containing the Proceedings of the late Massachusetts Convention for amending their Constitution. Purchase for me a volume of the Proceedings of our Convention. Let it be decently, but not *splendidly*, bound, and send it by Reynolds, or Calhoun. I intend to transmit it, with a few lines, to Mr. Adams."

Upon Mr. Jay's return from the convention at Albany he was offered the nomination for a seat in Congress from Westchester County, but declined the honor and resumed his law practice in New York. His second son was born on October 23, 1821, and named Peter Augustus Jay. The elder son, John Clarkson Jay, was soon to enter Columbia College, from which he graduated in 1827. Mr. Jay had always kept up his interest in the affairs of the college and had served, as we have seen, a term as trustee from 1812 to 1817. He now in 1823 had entered upon his second term.

The Rye Estate, purchased in 1745 by Peter Jay (son of the Huguenot, Augustus Jay), was devised by him to his son Peter Jay (blind), and by the latter to his brother John Jay. John Jay in turn now conveyed it, September 16, 1822, to his elder son, Peter A. Jay, who continued to occupy it with his family as a summer residence until his death in 1843, when it

became the inheritance of his eldest son, John C. Jay. The estate originally formed a part of the Budd or Rye Neck Patent, 250 acres of which were leased of John Budd, a grandson of John Budd (one of the original grantees, under the Indians, in 1661), by Peter Jay, March 25, 1745, and on the succeeding day he obtained a release for the same. Four acres of meadowland on Hen Island were purchased September 4, 1776, and other purchases have made additions to the original grant, increasing the number of acres till they now reach about four hundred.

In the autumn of 1822, being then owner of the estate, Peter A. Jay, during a visit to Rye—the widow of his uncle Peter (Mary Duyckinck) still continuing her residence there —planted the three elm trees which, from their symmetry and great size, have since attracted much attention. They stood on the lawn east of the house, and were set out to take the place of some venerable locusts which the year before had been destroyed. At the present time two of the three trees remain standing.

In the summer of this year, New York had again been visited by yellow fever. Everybody who could do so fled from the city; the banks, custom-house, and other business houses moved to Greenwich Village. Mr. Jay sent Mrs. Jay and the children to stay with his father at Bedford.

The Whites, of England, cousins of the Jays, occasionally made transatlantic voyages to visit their mother, Mrs. Henry White, and their relatives and friends. Mrs. White, then a widow, resided in New York, at Number 11 Broadway, on the west side, opposite Bowling Green. She was a daughter

of Frederick Van Cortlandt and Frances Jay, the latter a sister of Peter Jay, father of the Governor. Mr. and Mrs. Van Cortlandt had resided at the Manor-house, Lower Yonkers—the house Mr. Van Cortlandt built in 1748. General Frederick White, a son of Mrs. Henry White, seems, by the letter which follows, to have come over on a visit. Mr. Jay's letter is addressed to the General's brother, John Chambers White, then a Captain in the Royal Navy, but subsequently knighted and made Admiral.

" NEW YORK, Oct. 9, 1822.

" *My dear Sir:*

" Your letter of the 22d August last arrived at a time when the yellow fever had driven my family from the city, and either through accident or carelessness it was not forwarded to me, so that I only received it last week when I returned. It should otherwise have been earlier answered.

" The disease has now entirely ceased, as it always does upon the first appearance of ice. Though its ravages have not been great, it has occasioned much distress and still more inconvenience. While it continued your mother took refuge with her brother at Yonkers. Mrs. Jay and myself visited her there and were gratified at seeing her so cheerful and so well. We found Mr. Van Cortlandt in bed with fever and ague, but still in excellent spirits. He had not lived, he said, for ninety-six years to be frightened with an ague. He was old enough to know how to take care of himself. His physician was not so easy on the subject, but he recovered and is in good health. He and your mother have wonderful con-

stitutions and seem determined to disprove the theory that people are short-lived in America. We all regret that the General could not be induced to prolong his visit. The melancholy circumstances in which he found his relations, and the season of the year being that when our citizens are dispersed through the country, prevented his receiving all the attentions which so many would have been happy to show him. Besides, his habits, if as you say they are *Germanized*, must have led him to consider our manners as wanting in that polish which he certainly possesses in a high degree. Yet a longer acquaintance would, I think, have made him better pleased, and indeed it appeared to me that upon the whole he liked the Country and its Inhabitants better than he had expected. The manners of the upper classes here are certainly less polished than those of the same rank in England, but in return the common people are less vulgar. The Democracy under which we live, to a certain extent amalgamates all classes; but if this mixture imparts some rusticity to the highest, it also communicates a good deal of civility to the lowest.

" I am exceedingly happy to learn that you intend seeing us again. Be assured you will find many who will rejoice at your arrival. Let me hope that your coming will not be long postponed; several of your relations and friends are aged. My father and family continue as when you saw them. The old Lady at Rye, whom you kindly remember, is still cheerful and happy. The Mamaroneck family are all well. Mr. and Mrs. de Lancey are settled at Philadelphia, where he is well liked by his congregation. From your description of the villa that you occupy, I fear Mrs. White will not be very will-

ing to leave it. I trust, however, you will persuade her to become acquainted with her relations here. Mrs. Jay, with whom, by the by, you are a great favorite, desires to be particularly remembered to you and joins me in requesting you to present our respects to Mrs. White.

" I am, dear sir,

" Your very obt. Serv't,

" PETER AUGUSTUS JAY.

" Capt. J. C. WHITE, R. N.,

" Cecil Lodge, Abbots Langley,

" Hertfordshire, England."

The Van Cortlandt referred to in the letter was Augustus, a brother of Mrs. Henry White, and then the occupant of the house at Yonkers. He died December 20, 1823, in his ninety-sixth year.

" The old Lady at Rye," about whom Captain White makes inquiry, was the widow of Peter Jay, Mary Duyckinck, who continued to occupy the house at Rye until her death, which occurred April 25, 1824, eighteen months after this letter was written, she being then eighty-seven years old.

John Wells, a man of great eminence at the New York Bar, was the contemporary of Mr. Jay and six years his senior. He died in 1823. His biographer, in reciting the names of some of the prominent lawyers who were on friendly and social terms with Mr. Wells, says:

" In this train came Peter A. Jay, a worthy scion of a noble stock; learned as a lawyer, in manners polished, enjoying

with a genial disposition the mirth around him and contributing, by his stores of information and literary taste and by agreeable and instructive conversation, to the pleasure of society. He had been a member of the Legislature and left the impress of his mind among the statutes that have permanently promoted public welfare."

Wells's friend and rival Emmet, on the death of Wells, in an address which he made on the occasion, used the tribute expressed by Cicero on the death of Hortensius. " . . . Can I not lament the death of him who increased my fame by becoming my rival? . . . "

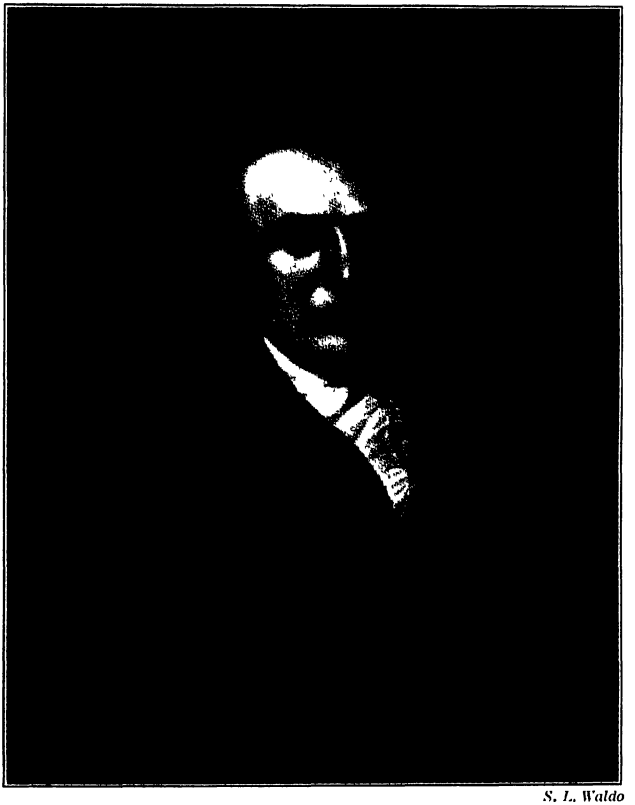
In the summer of 1824, General La Fayette, after an absence of nearly fifty years, made a tour through the United States. It had been known to be his intention to visit Mr. John Jay, but instead of going to Bedford, a change of programme was arranged which carried him directly from New York to Boston.

On the 6th of September John Jay writes to his son Peter: " We hear that General La Fayette and his numerous attendants travelled the whole way to Boston in a thick cloud of dust; if so, he may apply the old maxim in both its senses, '*Nulla sine Pulvere Palma.*' It is said that he is expected to be in New York this week. If you should see him before his departure to the southward, you may, perhaps, be informed by him of some further particulars relative to his route and intentions."

In a letter to her father, Governor Jay, dated April 21, 1825, Mrs. Banyer writes: " I am sorry to tell you that General Clarkson is quite ill; Mary [his daughter Mrs. Jay] was sent

for this morning and has been with him all day. Brother [Mr. Jay] came home this evening and said Doctor Post thought his disease Dropsy in the chest. He has not been well for some time. I cannot but hope, however, that he will be relieved, and that a life so valuable to his family and to the community may be spared." The disease—congestion of the lungs—gradually assumed a more threatening aspect; no physician's skill could arrest its progress, and the General's death occurred a few days later, in his sixty-ninth year. The many papers of the day published numerous tributes to his worth. At the ensuing anniversary of the American Bible Society, the Hon. James Kent, ex-Chancellor of the State, spoke of General Clarkson as follows:

"I would beg repectfully to add my humble tribute of respect and reverence to the memory of the late senior Vice-President of this Society, with whom I had the honor to be acquainted, and whose pure and excellent character has excited universal love and esteem. No person appeared to me more entirely exempted from the baneful influence of narrow and selfish considerations, or who pursued more steadily and successfully the vivid lights of Christian philanthropy. He was eminently distinguished in the whole course of his life for benevolence of temper, for purity of principle, for an active and zealous discharge of duty, for simplicity of manner, for unpretending modesty of deportment and for integrity of heart. It was his business and his delight to afford consolation to the distressed, to relieve the wants of the needy, to instruct the ignorant, to reclaim the vicious, to visit the fatherless and the widow in their affliction and to keep him-



S. L. Waldo

MATTHEW CLARKSON

1823 AGE 64

In the possession of the family of Mr. and Mrs. David Clarkson

self unspotted from the world. Such a portrait is not to be drawn from all the records of heathen antiquity. It presents an elevation of moral grandeur, 'above all Greek, above all Roman fame.' It belongs to Christianity alone to form and to animate such a character."

Mr. and Mrs. Jay had commenced housekeeping at Rye. The large house and ample grounds were well adapted for bringing up their seven children, the youngest of whom, Elizabeth Clarkson Jay, was just two years old, having been born on July 2, 1823. A letter from Mrs. Jay gives a little glimpse of the life there at this period. The letter is addressed to Miss Mary Rutherfurd at Edgerston, on the Passaic, New Jersey, a first cousin of Mrs. Jay and daughter of John and granddaughter of Walter Rutherfurd who came from Scotland to America.

"RYE, July 29, 1825.

"*Dear Mary:*

"I have been expecting a visit from you or one or more of your family for some time past. Mary wrote to Louisa the week before last, reminding her that her friends at Rye were very anxious to see the inhabitants of Edgerston.

"Your mother, I hope, will not forget her promise—I think I could make her time pass very agreeably for a fortnight at least, and I think change of air and riding about would be of great service to her. Tell Uncle I want to consult him about an ice house and other improvements and wish him to taste my *homemade bread and rusk.* We have bought

but one loaf of bakers' since we came here. I do not find housekeeping half the trouble that it was in New York, although we have dined but three times alone since we came here, and several times in large number. What do you think of twenty and twenty-two, including my children?

" We have been expecting Helen and Stuyvesant, and hope they will not long delay paying us a visit. John has fixed a nice awning on our boat, so that with two good oarsmen we can row about at our pleasure. We bathe at the flats, which I am sure would be of service to Aunt. We sometimes go before breakfast and sometimes in the evening. The beach is a fine sandy one and extends for more than a mile. I am more and more pleased with the place, and only wish that Mr. Jay could enjoy it all the time with us; I rise at half-past five or six o'clock, but we do not breakfast until seven or half-past. We dine at half-past one o'clock. You will laugh and say quite primitive hours.

" If I could leave my children I think I should take a ride to Edgerston and bring with me as many as the waggon will hold. I regret on this account that Effy Duyckinck is not with us—she went away, nearly a month since, to jaunt about with Mrs. Campbell's family.

" My children are all well and very happy. They are in school four hours during the day. Mary left us with her Uncle William on a visit to Bedford last Tuesday. Adieu, my dear Mary.

" Believe me sincerely yours,

" MARY R. JAY.

" Miss RUTHERFURD."

J. FENIMORE COOPER

J. Fenimore Cooper, both at school and at Yale, had been a classmate and friend of William Jay. Their friendship continued through life. Cooper was for some time a resident at Rye. In 1811 he had married into the Huguenot family of the de Lanceys, who resided at Mamaroneck, in the immediate neighborhood of Rye. This intimacy extended to other members of the family, and Mr. Cooper was frequently a visitor at the city house of the Jays and, later, at their house in the country. After spending a number of years at Cooperstown, New York, he returned to Westchester and took up his residence on a farm at Scarsdale, about five miles from Mamaroneck. It was while living on this farm in the year 1820 that Cooper commenced to write. His first serious attempt at novel-writing was " The Spy," published in 1821. The principal character in " The Spy " was suggested to Cooper by John Jay, and one of the scenes of the novel is generally believed to be laid on the Jay farm at Rye. Professor Thomas R. Lounsbury, in his " Life of J. Fenimore Cooper," gives an interesting description of how Cooper came to write " The Spy," in the course of which he says: " He naturally turned for his subject to the Revolution, with the details of which he was familiar by his acquaintance with the men who had shared prominently in its conduct and had felt all the keenness of a personal triumph in its success. The very country, moreover, in which he had made his home was full of recollections. Westchester had been the neutral ground between the English forces stationed in New York, and the American army encamped in the highlands of the Hudson. Upon it more, perhaps, than upon any other portion of the

soil of the revolted colonies had fallen the curse of war in its heaviest form. Back and forth over a large part of it had perpetually ebbed and flowed the tide of battle. Not a road was there which had not been swept again and again by columns of infantry or squadrons of horse. Every thicket had been the hiding-place of refugees or spies; every wood or meadow the scene of a skirmish; every house that survived the struggle boasted its tale of thrilling scenes that had taken place within its walls. These circumstances determined Cooper's choice of the place and period. Years before, while at the residence of John Jay, his host gave, one summer afternoon, the account of a spy that had been in his service during the war. The coolness, shrewdness, fearlessness, but above all the unselfish patriotism, of the man had profoundly impressed the Revolutionary leader who employed him. The story made an equally deep impression upon Cooper. He now resolved to take it as the foundation of the tale he had been persuaded to write. The result was that on the 22d of December, 1821, the novel of 'The Spy' was quietly advertised in the New York papers as published on that day."

In 1822 Cooper moved to New York, and in the two succeeding years published " The Pioneers " and " The Pilot." In 1825 he decided to travel abroad for a period of five years, and in February, just before his departure, published " The Last of the Mohicans." Cooper's popularity was then at its height; both in America and in Europe he was likened to Sir Walter Scott. During his residence abroad he occasionally corresponded with Mr. and Mrs. Jay, and among his letters

which have escaped the ravages of time we are enabled to insert the following:

" PARIS, 1826.

" *Dear Mrs. Jay:*

" Well, where did I leave off? It was after the diplomatic dinner at Mrs. Brown's, was it not? We will say it was. Since then the world has jogged on at Paris much as it does in other places. As winter approaches the town begins to fill, and handsome equipages and genteel-looking people are now abundant. In the meantime, our minister has been obliged to quit the Palais de Bourbon, at the expiration of his lease, and to move into the Hotel de Castries, which is a noble house nearly opposite in the same street. Mrs. Brown is very elegant here, and in point of furniture even more elegant than before, though her rooms now are no more than the apartments of a high nobleman, whereas they were before those of a Prince. I dine there every two or three weeks, and visit them much oftener.

" The Princess Gallitzin continues her kindness, which is of great service to us, as she keeps decidedly some of the best French and all the best Russian society in Paris. She has now a daughter and a daughter-in-law both arrived, the former from Italy, and the latter from England; and as both have handsome apartments and give parties, we visit both. The former is the widow of an Italian (the Marquise di Terzi) and a clever woman who speaks five languages well; the latter, the Princess de Gallitzin, née Souvaroff, is the granddaughter of the Souvaroff, or Souvarow, as we call her, and is more

distinguished for her musical attainments. I do assure you they give very pleasant little affairs. The other night the Princess Souvaroff gave a great affair, at which we attended, where there was a supper and ball. It was quite brilliant and honored with the company of the Russian Ambassador, the well known Pozzo di Borgo, to whom I was for the first time presented.

" Well, about a week ago I was descending the stairs of our hotel, which you know are common property to everybody that inhabits the building, when I met an old man ascending, as I thought, with a good deal of difficulty. There was a carriage in the court, and from something in his countenance as well as from his air and the circumstance of the coach, I thought he was coming to see me. Indeed, I fancied I knew the face, though I could not remember the name. We passed each other, looking hard and bowing, and I was just going out of the door when the stranger suddenly stopped and said in French:

" ' Est-ce que monsieur Cooper que j'ai l'honneur de voir?'

" ' Monsieur, je m'appelle Cooper.'

" ' Je suis Walter Scott.'

" Here was an introduction for you! worth a thousand letters, or the most formal presentations. We shook hands. I expressed my thanks for the honor, and he passed an hour with me in my cabinet. I am delighted with him. He treated me like a younger brother and spoke in the kindest and most encouraging manner. The two next days I breakfasted with him. He then paid me another visit, and we met once more at the Princess Gallitzin's, who gave him a famous

soirée. The ladies all appeared in tartans and shawls. The family sang an air composed by the Princess Gallitzin (Souvaroff), and the words were a translation by the old lady from a song in the Monastery. It went off well, for the French do these things wonderfully well, and this family, though Russian in fact, are quite French in manners. The next day Sir Walter departed for London.

" Very respectfully yours,

" J. FENIMORE COOPER.

" MRS. PETER A. JAY."

At about this time Mr. Jay was unanimously elected President of the High School of the City of New York and of the American Society for Meliorating the Condition of the Jews; and he also received the appointment of Trustee of the College of Physicians and Surgeons; but finding that his engagements would not permit him to perform in a satisfactory manner the duties of these offices, he respectfully declined them all. Previous to the year 1822 he had served as a Director and Treasurer of the Society for Meliorating the Condition of the Jews. In resigning from this Society, Mr. Jay wrote to the President: " I heartily pray that it may be instrumental in promoting the spiritual and temporal welfare of that ancient and wonderful people whose present Infidelity is among the strongest evidences of the Religion they reject, and whose future conversion will be but the Riches of the World and Life from the Dead."

In December, 1825, Mr. Jay received a letter from Mr. J. Rutsen Van Rensselaer, former Secretary of State and a dele-

gate from Columbia County to the Convention of 1821, asking if it would be possible for his son to obtain a position in Mr. Jay's office, to which he replied: " I am flattered by your desiring to place your son in my office; I have already six students and I have but little attorney's business. If his object be to learn practice, there are many offices which would afford him better opportunities for that purpose than mine. But if you wish it I will for your sake receive him with pleasure and endeavor to render the remainder of his clerkship both agreeable and useful to him."

The following year Mr. Jay was appointed Counsel to the Chatham Insurance Company and elected a director of the Mohawk and Hudson Railroad Company. He was also proposed as candidate for the office of Chancellor, which was then vacant; but he declined the nomination on the ground that the salary ($ 2,000) did not equal the income derived from his practice and would be insufficient for the support of his family. His friend Samuel Jones was made Chancellor in January, 1826.

The death of Governor Clinton occurred suddenly on February 11, 1828. While differing in his political views from Jay, Clinton always respected Jay's judgment, and entertained a personal friendship for him and his family. Only the previous year Mr. Jay received from Governor Clinton the following letter:

"ALBANY, Jan. 6, 1827.

"P. A. JAY, Esq.

"*Dear Sir:*

"Your letter certainly required no apology. Any recommendation of yours for any friend will always be acceptable and treated with merited attention.

"I embrace this occasion to tender to you all the kind wishes usual on the opening of the year, and I beg you to present them also to Mrs. Jay, as we ought to open the New Year with good dispositions. Tell the young lady who charges me with being under female—or, rather, uxorious—government that I forgive her and hope that her only punishment will be a *good* and *obedient* husband who will submit his neck to the yoke (as in duty bound) with entire submission.

"I am, very sincerely,

"Your friend,

"DE WITT CLINTON."

On November 29th of this year Mr. Jay's eighth and last child, Susan Matilda, was born.

The library of the New York Law Institute was founded in February, 1828, mainly through the efforts of Chancellor Kent. Heretofore the only collections of law books of any extent or value in or near the city of New York were the private libraries of Chancellor Kent and of Chief-Justice Jay at Bedford. The purpose of the New York Law Institute was to provide a library which should give to the members of the bar access to the law reports and literature of all coun-

tries. At its first meeting there were present Ogden Hoffman, Thomas Addis Emmet, Hugh Maxwell, James W. Gerard, and many other leading members of the bar. James Kent was elected President, and Peter A. Jay, Smith Thompson and Beverley Robinson, Vice-Presidents. The beginnings of the library were made by the purchase of the library of Robert Tillotson. Many of the members made donations, Chancellor Kent presenting a set of his "Commentaries on American Law." Referring to this subject in the "History of the Bench and Bar," Mr. William H. Winters says: "Many of the old classics of the law, rare and valuable reports and commentaries, were the gifts of the accomplished scholar, Peter A. Jay, the eldest son of Chief-Justice Jay. In the future, upon the Law Institute's tablet of grateful recognition of the friends and lovers of its library no names will be engraven deeper or more conspicuously than those of Peter A. Jay and Charles O'Conor."

The rooms of the New York Law Institute are at present in the Post-office building, and its library ranks as one of the three leading libraries in the world of American and British law literature.

In the spring of 1829, Dr. Hare presented Mr. Jay with a volume on chemistry, sending the following letter with it:

"PHILADELPHIA, April 4, 1829.

"*Dear Sir:*

"As I remember that you are among those members of the legal profession who retain some taste for the study of the arcana of nature, I am encouraged to send you a volume of

which I am the author. It will be handed to you by my nephew, George E. Hare, Esq., who is preparing for orders in the church at the Episcopal Seminary at New York. He is both worthy and intelligent.

"I regretted much some time ago to hear that you had been a visitor in our city without my having had an opportunity of seeing you and of inviting you to my house. I am, however, at times so arduously occupied as to remain ignorant of the arrival and departure of the most distinguished persons.

"I remain, with esteem,

"Respectfully yours,

"ROBERT HARE.

"PETER A. JAY, Esq."

We have now to record the first wedding in the family, that of Mr. and Mrs. Jay's eldest daughter, Mary Rutherfurd, to Mr. Frederick Prime.

The following letter is addressed to Mr. Egbert Benson, Associate Justice of the United States Supreme Court, inviting him to be present at the wedding:

"NEW YORK, April 24, 1829.

"*Dear Sir:*

"Your friend Mary is to change her name on Thursday evening, the 30th inst. She and her mother join me in requesting that you will favor us with your company on that occasion.

"My father has desired me to say to you that he hopes soon to have the pleasure of seeing you at Bedford. He begs your

acceptance of a couple of dozen of port, which Mr. G. Barclay will send you.

"I am, Dear Sir, with great respect,

"Your very obt. servt.,

"PETER AUGUSTUS JAY.

"EGBERT BENSON, Esq."

The death of Mr. Jay's father-in-law was soon followed by the death of his father. We have seen Governor Jay in retirement, "under the shadow of his own vine and fig-tree," his complete withdrawal from public life, almost from society, and we are at length come to speak of the close of his life—a life which covered a period of eighty-four years. Mr. Jay died at Bedford on May 17, 1829, and was buried in the family cemetery on the Rye estate. The simple monument which marks his grave bears the following brief epitaph, written by his son Peter A. Jay:

IN MEMORY OF JOHN JAY,

EMINENT AMONG THOSE WHO ASSERTED THE LIBERTY
AND ESTABLISHED THE INDEPENDENCE
OF HIS COUNTRY,
WHICH HE LONG SERVED IN THE MOST
IMPORTANT OFFICES,
LEGISLATIVE, EXECUTIVE, JUDICIAL AND DIPLOMATIC,
AND DISTINGUISHED IN THEM ALL BY HIS
ABILITY, FIRMNESS, PATRIOTISM AND INTEGRITY.
HE WAS IN HIS LIFE AND IN HIS DEATH
AN EXAMPLE OF THE VIRTUES,
THE FAITH AND THE HOPES
OF A CHRISTIAN

It were indeed a task to draw into comparison the relative merits of Jay and Hamilton, and yet it is a study not without interest. A writer who has made a sketch of the character of Jay has also left us his estimate of the distinguishing traits of the two men, which is here presented:

" They were, undoubtedly, '*par nobile fratrum*,' and yet not '*twin brothers*'; '*pares sed impares*,' like, but unlike. In patriotic attachment equal, for who would venture therein to assign to either the superiority: yet was that attachment, though equal in degree, yet far different in kind. With Hamilton it was a sentiment, with Jay a principle; with Hamilton enthusiastic passion, with Jay duty as well as love; with Hamilton patriotism was the paramount law, with Jay a law '*sub graviori*.' Either would have gone through fire and water to do his country service, and laid down freely his life for her safety,—Hamilton with the roused courage of a lion, Jay with the calm friendliness of a man; or, rather, Hamilton's courage would have been that of the soldier, Jay's that of the Christian. Of the latter it might be truly said:

" ' Conscience made him firm,
That boon companion, who her strong breastplate
Buckles on him that fears no guilt within,
And bids him on and fear not.' "

The same writer says: " In intellectual power, in depth and grasp and versatility of mind, as well as in all the splendid and brilliant parts which captivate and adorn, Hamilton was

greatly, not to say immeasurably, Jay's superior. In the calm and deeper wisdom of practical duty; in the government of others, and still more in the government of himself; in seeing clearly the right and following it whithersoever it led, firmly, patiently, self-denyingly, Jay was again greatly, if not immeasurably, Hamilton's superior. In statesmanlike talent Hamilton's mind had in it more of 'constructive' power, Jay's of 'executive.' Hamilton had Genius, Jay had Wisdom. We would have taken Hamilton to plan a government and Jay to carry it into execution; and in a court of law we would have had Hamilton for our advocate, if our cause were generous, and Jay for our judge, if our cause were just.

"The fame of Hamilton, like his parts, we deem to shine brighter and farher than Jay's; but we are not sure that it should be so, or rather we are quite sure that it should not. For when we come to examine and compare their relative course, and its bearing on the country and its fortunes, the reputation of Hamilton we find to go as far beyond his practical share in it, as Jay falls short of his. Hamilton's civil official life was a brief and single, though brilliant one. Jay's numbered the years of a generation, and exhausted every department of diplomatic, civil and judicial trust. In fidelity to their country both were pure to their heart's core; yet was Hamilton loved, perhaps, more than trusted, and Jay trusted, perhaps, more than loved.

"Such were they, we deem, in differing, if not contrasted points of character. Their lives, too, when viewed from a distance, stand out in equally striking, but much more painful contrast. Jay's, viewed as a whole, has in it a completeness

of parts such as the nicer critic demands for the perfection of an epic poem, with its beginning of promise, its heroic middle, and its peaceful end, and partaking, too, somewhat of the same cold stateliness—noble, however, still and glorious, and ever pointing, as such poems do, to the stars. '*Sic itur ad astra.*' The life of Hamilton, on the other hand, broken and fragmentary, begun in the darkness of romantic interest, running on into the sympathy of all high passion, and at length breaking off in the midst like some half-told tale of sorrow, amid tears and blood, even as does the theme of the tragic poet. The name of Hamilton, therefore, was a name to conjure with, that of Jay's to swear by. Hamilton had his frailties, arising out of passion, as tragic heroes have. Jay's name was faultless, and his course passionless, as becomes the epic leader, and, in point of fact, was, while living, a name at which frailty blushed and corruption trembled."

The Bedford Estate now passed to William Jay, who continued to occupy it with his family during the remainder of his life. It afterwards became, by inheritance, the property of his son, the Hon. John Jay, and since his decease his son, Col. William Jay, has succeeded to its ownership. The estate includes about eight hundred acres, part of a tract purchased by Jacobus Van Cortlandt from Katonah, Sagamore, and other Indian chieftains in 1700 and confirmed by patent of Queen Anne in 1704. It had come to Chief-Justice Jay partly through his mother, Mary Van Cortlandt, the wife of Peter Jay, and partly through her sister, Eve Van Cortlandt, the wife of Judge Chambers.

In a letter to Mr. Cooper, who was then in Italy, under date

of May 26, 1829, Mr. Jay says: " My good old father has paid the debt of nature. He died on the 17th instant. I need not tell you how much he was loved and venerated by his children. His departure was attended by every circumstance which can lighten affliction for such a loss. Yet the separation is very painful, and I am not yet in a mood to write with levity. William will continue to reside at Bedford. The estate there is left to him. I have the ' stone house ' at New York; and the rest of my father's property, except some legacies, is to be divided equally among all his children. Your friend Mary is married to Frederick Prime. My other girls are growing up around me, and teach me, without looking in the glass, that I am growing old. Still I must labor on to maintain them, while you are enjoying all that can render Europe agreeable. I rejoice in the laurels you are winning, and trust they produce golden fruit. We should rejoice still more if you should repose under their shade in Westchester. Your ' Batchelor,' except that it paints us too favorably, is an excellent book, and the predictions it contains are infinitely less improbable than an Englishman could by any means be made to believe. Capt. Basil Hall, we are told, is going to lash us. Few men have been better received here than he was, yet he left us, I believe, in a sore humour. His condescension and desire to instruct us, though meant to show humility and kindness, were felt as arrogance, and his wife indulged herself in criticisms upon the American ladies which justly displeased the latter.

" You will find at your return our Society much changed; some whom you knew are dead, some bankrupt, many absent,

some are married, a few grown rich, and numbers of new faces appear daily on the stage. If you stay away much longer, you will be almost as much a stranger here as at Paris. Come back while you have some old friends left. We are longing to see your new novel with the odd name, and your travels in Switzerland will, I doubt not, be instructive as well as amusing. It is a country, after all, which, if you except the scenery, I think I should not admire; however, you are a better judge and I shall acquiesce in your decision. We have no political news which will interest you. There are a great many appointments and disappointments. Of course, some are gratified and many displeased. What are to be the distinguishing features of General Jackson's administration cannot yet be determined. Hitherto there has been nothing to denote great ability nor perhaps the reverse. It is probable that things will go on pretty much in the old way."

On July 4, 1829, a short time after his father's death, William Jay wrote to his brother as follows: "I have found the address of the Corporation to Papa on presenting him with the freedom of the city, and his answer. These papers, together with the gold box, ought and no doubt will descend as heirlooms in the family, and on various accounts you are the proper depositary of them. I shall send them by Helen, and I beg you to accept them. In this request Maria and Nancy concur." The gold box is now in the possession of Mr. Jay's grandson, Dr. John C. Jay, and to him also belongs the teapot, a gift from Benjamin Franklin to John Jay. The Marquise de La Fayette presented two chairs to Mrs. Jay on her leaving Paris, the cushions of which are enriched with the

needlework of the Marquise. These chairs are now the inheritance of the families of two of Mr. Jay's daughters, Mrs. Pierrepont and Mrs. Clarkson.

A society, known as " The Club," of which Columbia College was the centre, and which is called, in " The Memorial History of New York," " a charming literary coterie," but whose fame has almost disappeared, was now established.

An account of this Society, written by Dr. John Augustine Smith in the letter of invitation to Mr. Gallatin to join the company, November 2, 1829, deserves to be recorded:

" Nearly two years ago some of the literary gentlemen of the city, feeling severely the almost total want of intercourse among themselves, determined to establish an association which should bring them more frequently into contact. Accordingly they founded ' The Club,' as it is commonly called, and which I believe I mentioned to you when I had the pleasure of seeing you in Bond Street. Into this ' Club ' twelve persons only are admitted, and there are at present three gentlemen of the bar, Chancellor Kent, Messrs. Johnston and Jay; three professors of Columbia College, Messrs. McVickar, Moore and Renwick; the Rev. Drs. Wainwright and Mathews, the former of the Episcopal, the latter of the Presbyterian Church; two merchants, Messrs. Bosworth and Goodhue; and I have the honor to represent the medical faculty. Our twelfth associate was Mr. Morse of the National Academy of Design, of which he was president, and his departure for Europe has caused a vacancy. For agreeableness of conversation there is nothing in New York at all comparable to our Institution. We meet once a week; no officers, no for-

malities; invitations are given in case of intelligent and distinguished strangers, and after a light repast [we] retire about eleven o'clock.

" Chancellor Kent had been the one centre of attraction at these meetings, but Mr. Gallatin brought in a more varied conversation. Indeed, in this art he is said to have had no rival on this side of the Atlantic, and Talleyrand alone on the other."

We are again able to add letters of Mr. Cooper, which, from the prospective view they take of European politics, are interesting:

" DRESDEN, July 15, 1830.

" *My dear Sir:*

" The five years set for our absence will expire next summer, and we begin to talk seriously of returning. Still there are powerful motives to induce me to remain abroad a year or two longer. My youngest children are just beginning to reap the advantages of their position, and it seems unwise to deprive them of them so soon. . . .

" In addition to the interests of my children, I have a strong desire to visit Turkey and Greece. The facilities now are great. It is thought that a steamboat will run next summer between Naples and Constantinople. The quarantine is the one great embarrassment to the intercourse.

" After a residence of nineteen months, we have left Italy with regret. That and Switzerland are the only two countries—simply as countries—that are worth crossing the ocean

to see. We find Germany tame after the regions we have left. Dresden is the cheapest place we have inhabited, though Florence would not be dear were it not for the knavery of the domestics. One can live in Dresden for about the same money as in New York, though there is no comparison between the indulgences of the two places. The commonest things with you are rare luxuries all over Europe. I remember the wife of an English Peer pressing me to eat a Dutch herring at a splendid dinner; and on my manifesting no *empressement* to taste the fish, she gravely assured me that it was impossible to get them, except through the favor of an Ambassador.

"I hardly know what to tell you of Europe. I think things are drawing to a crisis, however, and that a very great good, or a tremendous struggle, will be the consequence. In order that you may understand the nature of the contest, I will go a little into detail.

"The whole of this quarter of the world is divided into two great parties. They have different names in different countries, but their objects and tendencies are everywhere the same, subject to such modifications as depend only on local causes. One side is struggling to reap the advantages of the revolutions, and the other to arrest them. Of course the latter class is composed of all those who are in possession of power and emoluments as things are at present, aided by those who have lost by the struggle. In consequence of the discredit into which religion fell during the Revolution in France, and some tendency which Liberalism in politicks has to create laxity in morals,—that is to say, with those who have

just broken out of restraint,—this party has managed to enlist a multitude of conscientious and well-disposed people on its side, merely under the belief that amelioration of the policy of governments will be fatal to Christianity. The moving spring, as you will readily see, is interest. It is odd enough that the High Churchmen of England and the Catholic bigots all over Europe are on the same side, and on the same pretence. All wish to preserve their local monopolies.

"In this state of feeling the exertions of the Church of Rome to regain its lost influence are of incredible perseverance and of great discretion. Austria cultivates religion as a powerful state engine, and France wished to do the same thing. But the freedom of the press interferes, and hence the struggle.

"What will be the result in France is hard to say. The whole question depends on its fate in France. If she recede, Europe will recede; if she advance, Europe will advance. There is no greater error than to suppose that the influence of England is salutary, as respects the settlement of these important interests. It is surprising how much better the tendency of the English system is understood in Europe than in America, where one would think it ought to be understood so well. Here it is considered a system calculated to favor every species of monopoly under a pretence of liberality and freedom. There is a strong evidence that this opinion is right, in the fact that the rulers of France are willing enough to assimilate their own institutions to those of England, which would be to substitute the onerous power of an oligarchy to that of the crown. Prince Polignac, the head of the present

administration, is the head of this school. He has received his training in England, which country would gladly stop the current of free opinions at that point, rather than let it go farther. The two great objects of England are to preserve its monopolies as a country, and to preserve the ascendancy of its aristocracy. England and Austria have much to lose and little to gain by wars or revolutions; they are, therefore, natural allies, and act in concert on all these questions.

" You know the result of the elections in France. It now remains to be seen what course the King will take. There is certainly a powerful party in France in favor of the Republick —not a Republick like ours, but one that shall give the control to the electors and diminish the taxes. Both the King and the Dauphin have become unpopular. There is a general, and perhaps it is a correct, opinion that had Louis XVI shown more energy, he might have arrested the Revolution of '89. The French rulers seem to act on this idea. They forget, however, that the remedy which cures one disease is fatal to another. The France of 1789 no more resembles what France is now, than a man in a fury resembles one simply resolved to protect his rights.

" I think the whole resolves itself into this. If the King of France yields to the electors, he will become a pageant like him of England, and the Liberals of course will carry on the government. The Liberals do not like England or Austria. They want Savoy and the Rhine. They are now in Algiers, and the next administration may not deem itself bound to regard any pledges which the present may have given to relinquish it. In that event there will probably be a war.

England's only aversion to a war with France is simply, I think, the danger of drawing other nations into the conflict. She has little trade with France; and as there is no probability that the scenes of Napoleon's reign will be renewed, she might make the war exclusively maritime. But a maritime war will drive her to an assertion of her pretended maritime rights, and then other nations will interfere. Another war with us will dispose of the question of manufactures, and do much towards changing the sceptre of the seas. Still, I think she would run the hazard, rather than see France finally established in Africa, or even see her frontier materially extended. The feeling among the better sort of Englishmen is general, that there is great danger of a war should the Liberals succeed in France—I am quite convinced, if they do not, there will be a revolution.

" Germany is not quiet, though the people are sluggish and far from enterprising. I am thoroughly convinced that the whole secret of Buonaparte's success is to be found in the method and slowness of the Germans. He broke through the restraint of antiquated rules himself, and conquered them by hazarding all. We should harness a pair of horses in America in half the time they would harness them in France; and in France they do it in half the time it is done in Germany. The rule is good in graver matters. The Italians would have beaten him at his own game, but they had nothing to fight for. They wished a change of masters.

" We have just had here a celebration of a jubilee in honor of the Reformation. The Court is Catholic to bigotry, while the people of Saxony are Protestants. There were many

riots in different places, and some few lives have been lost. The desire of the people is here, as everywhere, a constitution.

"I regret greatly that our Government does not make a greater exhibition of its naval forces. It is the only thing by which we are known, or through which we are respected. Two or three millions a year more would be of the last importance to our strength and our influence. These people are so much accustomed to see everything on a grand scale, that they will not believe we keep our resources in reserve. I have made a curious set of calculations by which it is arithmetically demonstrated that the U. S. can man and maintain fifty sail of the line in the event of a war, taking the premises from the past. If the illiberals of Europe get the ascendancy, we shall have to struggle for our existence. They cannot even now contain their exultation at the slightest rumor that is unfavorable to the perpetuity of our institutions. I am fully persuaded that England is, at this moment, intriguing in the Southern States in order to separate the Union. It is a common topic in all English society, and they scarcely affect to conceal their hopes. You will see the interest they take in this question, when you reflect that their ascendancy depends on our downfall. These things should be gravely considered at home, and a remedy applied. I have great confidence in the perpetuity of the Union, but then we have to fight for it.

"I have met, abroad, one of the Cruger family who is a Carolinian. He had a good deal of talent, and I take it he is well acquainted with the intentions of the leaders of the present anti-Union party in his State. There is much more of feeling than of reason in their politicks, though their argu-

ment is far from bad in all that respects the general merits of the question of State Rights. I go with him, for I can see no greater danger than to endeavor to stretch the Constitution of the U. S. by construction over the powers of the States. It is very well to wish to see improvements going on, but they are bought too dear at the price of internal harmony and at the sacrifice of the compact of union. The great error at home appears to me to be a wish to apply European theories to our state of things. We are unique as a government, and we must look for our maxims in the natural corollaries of the Constitution. The real strength of the Union is its apparent weakness; for were we to wish to legislate as they do in England, for instance, we should soon draw the whole fabric about our ears. There is no motive for such legislation, since the General Government is not a government of territory, but one of definite objects. The effects of this Government, properly considered and rightly administered, approach as near sublimity as can be hoped for in any human institution. Internally, it gives us uniformity and accommodation in a thousand of our nearest interests, opens a wide sphere for individual enterprises, and precludes the necessity of all vexatious and demoralizing restraints which are the curse of small territories. In addition to all these advantages, it produces the negative good of keeping those in amity who would infallibly become the bitterest foes in the event of a separation. Externally it gives us honor, influence and protection, at a rate so cheap as to be marvellous. Now it seems to me that these are advantages of sufficient value to render us quiet under some apparent feebleness in the central power.

"Cruger complains bitterly of the tone of the Northern States on the subject of slavery. Is he not right? Reverse the case, and place ourselves in their situation, with property and even life in jeopardy at any moment—we should not like to see or hear what is constantly written and proclaimed at the North. He carries his resentment too far, no doubt. He tells me that his State will retire for a time if Congress does not repeal the tariff. I asked him when she meant to return, and whether she was sure of being received? He thought the separation would not be long, and that it would serve to settle many constitutional principles. He was of opinion that she would open her port. I asked him how many sloops of war it would take to shut it! He seemed struck with the last question, and wished to know if I thought Mr. Jackson would resort to such an expedient? How could he doubt it! The man would be a traitor to the Country to do otherwise. You see, this simple expedient would effectually throw the onus of proceeding offensively on the State. Now whom would they attack? Their neighbors? They wish them for friends. I believe I convinced him that it was easier to invent theories on this subject, than to contend with a force like that which the Constitution gives the Executive.

"An article lately appeared in the 'Courier' (English paper) which was quoted from a paper in Carolina. It laid down the ground that the Union could easily be divided into five parts, viz.: New England, the Middle States, the Southern Atlantic States, the Western and South-Western. This opinion may have been first published in South Carolina, but it is not an American idea. The English have a most overween-

ing opinion of their moral influence, and they believe they can throw out ideas in this way, for others to act on. You will see that a simple division of the country in moieties is not enough for England; the fragments would be too large. She wishes to cut us up in pieces to suit her own views! No American would have conceived such a plan, for no man at all acquainted with the country would, for instance, think of separating New England from New York. Vermont and Connecticut are just as much natural dependents of New York, geographically speaking, as Otsego and Ontario counties. Pennsylvania, New York and Ohio are, again, indissolubly united, and each of them brings its own train of dependents along. The idea was English, rely on it, and it is part of a systematized plan that is as vigorously acted on as England dare act in her present enfeebled state. If she persevere, she will drive us into another war. There is no safer means, less expensive, or more honorable or more constitutional way of giving an imposing aspect to the Union than by an exhibition of its naval force. In the event of a European war,—and it is not distant,—I think we shall have to arm in defence of our maritime rights.

" Of one truth I am deeply convinced. Neither the Government nor the people of the U. States are sufficiently apprized of what is doing in this hemisphere in matters connected with these our dearest interests.

" Very truly yours,

" J. FENIMORE COOPER.

" P. A. JAY, Esq."

In 1775 an American wrote upon a window of an inn in England the following lines:

" Hail, happy Britain! Freedom's blest retreat,
Great is thy power, thy wealth, thy glory great.
But wealth and power have no immortal day,
For all things only ripen to decay:
And when that time arrives, the lot of all,
When Britain's glory, wealth, and power must fall,
Then shall thy sons—for such is Heaven's decree—
In other worlds another Britain see,
And what thou art, America shall be."

America is now witnessing and England is also realizing the fulfilling of this prophecy, and we must look to England's continuous and persistent efforts through years to avert this result to find the cause of Cooper's indignation in his letter.

" DRESDEN, July 26, 1830.

" *Dear Mr. Jay:*

" I got your letter at Venice on our way up from lower Italy into Germany. We quitted Florence the last of July, 1829, and went by sea to Naples, touching at the island of Elba. Our stay in and about Naples rather exceeded four months, when we went to Rome. I hired a house, or rather a castle, at Sorrento, in the Bay of Naples, where we passed three months very delightfully. The building stands on the cliffs and actually overhangs the water. The house is the one in which Tasso is said to have been born, and I refer you to

a description of its view in the mouth of Seadrift, one of the principal characters in a tale called ' The Water Witch,' which is already printed. . . .

" Of Rome it is unnecessary to speak. It is still Rome in its ruins, its position and its recollections. . . . As to the society of Rome, it is now a mixture of all nations, in which the English rather predominate. The Buonapartes are at Rome in great numbers. I saw them all except Lucien, who lives at his estate of Canino. He is much impoverished, though he has lately discovered in his grounds a cemetery of those who preceded the Romans,—the Etruscans,—and he has collected a superb museum of vases which he will probably sell for more than $ 100,000, and some of them are valued as high as $ 2000 apiece. Jerome lives in a good deal of style, and enjoys his ancient reputation, which is none of the best. His wife, a sister of the reigning King of Würtemberg, is a good-natured, fat personage, who has much merit for her domestic virtues, but is a little absurd on account of her airs of royalty. She is protected by the different Courts on account of her family. We saw the Mother of Buonaparte two or three times. She is a plain, unaffected, motherly old woman, much wrapt up in her children and without the least pretension to elegance of manner, or to any extraordinary quality. She may have been handsome in youth, but the character of the Buonaparte face, which is certainly fine, is as certainly derived from old Carlo Buonaparte the Father, who, judging from a bust, was a handsome model for all his sons. Madame still speaks French like an Italian, and Italian like a Corsican. In short, she is a mean resemblance of Aunt Jay

in exterior; neither so handsome nor so noble, and a very every-day woman in manner and language. The absurdity is in trying to make her a heroine. Hortense is an affable, good-hearted woman of fifty, with no remains of beauty, and with manners that are not in the least dignified. She seems frank and easy by nature, but she is too much of a fidget. Louis is simple, dignified and gentlemanlike. He lives at Florence, and his wife at Rome; they do not see each other.

" From Rome we crossed the Apennines by the Col Finto, entered the March of Ancona, and went to Loretto, Ancona, Rimini, Bologna, Ferrara, Padua and Venice, thence through the heart of the Tyrol into Bavaria. We have now been in Saxony two months, and hope to stay here three months longer. . . .

" Adieu.

" J. FENIMORE COOPER."

" PARIS, Sept. 8, 1830.

" *My dear Sir:*

" I have just seen letters from Constantinople. They say that the Turks look for the intervention of England in the affair of Algiers, and that they hope to regain their lost ascendancy over the African regencies. Our agents complain there, as they do everywhere else, of the English influence being used against us. Of this fact be assured there is not a shadow of doubt: as a nation, and often as individuals, they do us all the harm they can. Our consul at Naples told me that, a few years since, they actually obstructed his negotiation of bills for the use of the squadron, making the bankers believe we were not to be trusted.

" The ignorance of America all over Europe is marvellous. They confound us with the South American states and with the aborigines. My girls were in school at Dresden to learn German. When they came away the mistress of the school betrayed an important secret. During their stay she had received a multitude of applications to see them *as curiosities*. Her answer was uniform: ' The children are intrusted to me to be instructed, and not exhibited as a show.' Many were not satisfied with this reply, and wrote to know of what shade of black they were. The school-mistress had but one answer to make,—' They are the fairest children in my school,'—which I really believe was the fact. One lady actually wrote to me, requesting an interview. Of course I could not refuse, as she offered to visit me. I entertained her as well as I could with remarks about her own country, and such information of ours as she wished to hear. When she took her leave, she expressed her gratitude for the reception, letting drop, at the same time, an expression which said very plainly that she had not been as much amused by my external appearance as she had expected to be. I desired an explanation, and with some embarrassment she acknowledged that had she not known I was an American, she might have supposed I was an European. Most of those who meet me believe I am an Englishman naturalized. The Grand Duke of Tuscany asked me plainly, ' Of what country are you, in fact? (De quel pays êtes vous, vraiment?) '

" The King is very simple in his habits—scarcely a King in this respect. I have met him walking in the Tuileries, and once riding on the *front* seat of a sort of light wagon, with the

Queen on the hinder seat. No guards—indeed, there *are* no guards at present. The review of the National Guards was really imposing. There were probably 40,000 men under arms, with La Fayette at their head. For a few days the old veteran held the fate of France in his single hand. He is very active, and still very important.

" I was at the soirée of La Fayette last night, when, to the amazement of everybody, old Talleyrand walked into the room. He is named Ambassador to England. We have a hundred reports, which fly about from hour to hour. One, and it is the most important at this moment, says that the English Cabinet is divided in opinion concerning the revolution in Belgium. Wellington says the King of Holland must be supported, and his colleagues say no. The Dutchmen are very much inflamed against the Flemings and excite the King to violence. If England lends her aid, and they say there is a treaty to that effect, there will be a war in a month. If she plays off, the crisis will be retarded; but on one thing you may rely—the frontiers of France will be the Alps and the Rhine, whether it be a few years sooner or later.

" I flatter myself you will be glad to hear that after five years of indigestion, my stomach is getting sound again, and that I am now in better health than I have been since the illness in Beach Street. I have just sent home a book, and now am at work on another, whose scene is in Italy.

" With best regards to all your family,

" I remain very truly and gratefully yours,

" J. FENIMORE COOPER.

" PETER A. JAY, Esq."

MR. JAY TO J. FENIMORE COOPER

An extract of a letter from Mr. Jay to Mr. Cooper under date of November 22, 1830, succeeds:

" Your account of the state of Europe is very interesting and accords with that which we receive from other quarters. A spirit of discontent evidently pervades that Continent, and I think with you that it proceeds less from particular than from general causes. It appears to me that the poorer classes, having been taught their own strength, are desirous to change situations with those who are now above them. This feeling is doubtless exasperated by those grievances which always occur in all times and places. Europe seems to be in a state of transition, as a geologist would call it, from its present state to some other—what that other will be requires more prescience to predict than I possess.

" You were too modest to mention your having had the honor to dine with the Citizen Monarch, but you see it is known here. I heartily wish that his power may be permanent and his nation happy. That France sighs for Belgium is well known. She can obtain it only by war, and it is not unlikely that war will result from the troubles in that country. The political horizon portends a storm. What effect it will have upon England it is not easy to conjecture. The government of that country is not, as you suppose, a moneyed corporation, but one of the strongest landed aristocracies in existence. Liberal principles have spread widely there, but are not much tainted with Jacobinism. With wise management, I think she may weather the storm.

" Mrs. Jay and I are obliged to you for your amusing letter to her. Your abode at Sorrento must have been delightful,

and I shall rejoice to read the description of it by Mr. Seadrift. The Mediterranean recalls so many recollections of ancient history, sacred and profane, that it is everywhere interesting; and its old promontories, tinged with purple and crowned with buildings of shapes new to us, and erected for purposes to which we are unaccustomed, render many parts of it wonderfully picturesque. You have skimmed over Europe, alighting and renewing your flight like a bee, not only sipping the sweets, but, I hope, collecting honey for the winter. I wish I could be a wanderer, too. But I am chained to the oar and must perform my daily task. You will find me, when you return, grown old.

" The new government of France is very popular here, and will be more so if they make a reasonable settlement of our claims. Some of them are as just as ever claims were. If the present ministry, like the late Court, persist in evading them, they will keep alive much heartburning, which it is the interest of both countries to terminate.

" The late elections in this State have terminated in favor of General Jackson. The state of our parties is so singular that it would be almost impossible to give you a clear idea of them. There is one, however, called the Working Men's Party, which, owing to our system of universal suffrage, is like to become permanent and important. South Carolina has been a little insane, but is recovering. Georgia has succeeded in bullying the General Government into an alliance with her for the purpose of depriving the friendly Indians of their lands. I am sorry for this, for I think it a measure which will injure our national character.

J. I. ROOSEVELT, JR., TO MR. JAY

"I hope you will not delay your return to America for the sake of beholding the revolutions of the Old World. Should the tempest rage, you may behold it as comfortably seated on the shore as if you were in the midst of the hurricane."

One of the early students in Mr. Peter A. Jay's law office, and afterwards a partner, was Mr. James I. Roosevelt, Jr. Retiring temporarily from professional life in 1830, he went to Europe and was in Paris during the disturbancest hat followed the revolution. He became subsequently a Justice of the State Supreme Court, and still later United States District Attorney for Southern New York. From Paris he writes to Mr. Jay:

"PARIS, Dec. 24, 1830.

"*To Peter Augustus Jay, Esq.*

"You feel, no doubt, some interest in what is going on at this place at the present moment. Last week everything was apparently quiet. The trial of the ministers, although anxiously watched, proceeded with perfect calmness. I was frequently in the neighborhood of the Luxembourg for the express purpose of watching the movements as well of the military as of the populace. To obtain admission I was told was impossible. Every seat had been long previously engaged. On Sunday morning last, however, I was so fortunate as to receive a polite note from General La Fayette enclosing a *carte d'entrée* for the Ambassador's Box. As you may well suppose, I immediately went, and remained the whole day. Peyronnet was speaking as I entered. He appealed strongly,

but I cannot say manfully, to the feelings of the court and the audience. He was exceedingly agitated and frequently in tears. Polignac and the two others seemed to be wrapt in intense thought. After Peyronnet had finished his own personal explanations, which the court very properly, though somewhat irregularly, allowed him to make, his counsel rose and made as good an argument for his client as the case would perhaps admit; but in point of eloquence he was completely eclipsed by a young advocate from Lyons who immediately followed him in defence of Chantelauze. You will be surprised to hear that in a case of life and death, and one, undoubtedly, of the gravest that ever engaged the attention of a court of justice, not only were the audience permitted, but the peers even permitted themselves, frequently to clap the speaker. On the ensuing day, it being understood that the trial was drawing to a close, the people began to assemble in the neighborhood of the Luxembourg. The court in consequence determined to adjourn before dark. The next day, Tuesday, having heard that there was a probability of trouble, and wishing to see for myself the *modus operandi* of a French revolution,—in case another, as was apprehended, should take place,—I crossed the river again with Mr. Cooper (my former clerk) and Mr. Hammersley. The whole population seemed to be in the streets, and more than half of it in military uniform. We pushed our way along until we came to the St. Germain market. Here we soon heard the shouts of what seemed a mob in one of the neighboring streets. The gates of the market and the doors and windows of the shops were instantly closed. In a few minutes the *sovereigns* came

retreating into the square, with a troupe of soldiers charging bayonets at their heels. No harm, however, was done, unless it might have been to the lungs of some of their majesties. This scene being over, the market gates were reopened and we issued forth in search of further adventures. But I find I have no room for further descriptions. The result of all is that the City of Paris, after exhibiting for four days the appearance of the camp of an immense army on the eve of battle, is at length (Saturday) as quiet, to all appearance, and as orderly as New York itself. The agony, it is generally supposed, is over, so far as France is concerned. In consequence of the troubled state of Holland, which I intended to have visited next, I am inclined to think I shall take a trip to Italy in the course of two or three weeks, and leave my visit to the land of my ancestors until spring.

" In England I was delighted. My friends there, particularly the two legal gentlemen engaged in the Wallis Estate, were all kindness and attention, and, had it not been for the death of a relation, would have joined me in my travels.

" In France I have found a great number of American acquaintances, and my vanity has been in no small degree gratified by the attention and, I may add, the retainers of La Fayette. All this, however, cannot make me forget for a moment my relations and friends at home. The further I remove myself from them, the more strongly I become attached to them. Even the strong excitement of a constantly occupied curiosity cannot always keep from my mind the feeling of loneliness which, in spite of all my efforts to get the better of it, will at times come over me when I think of some of

those I loved in New York, particularly yours and Mr. Clarkson's families. There are no such domestic circles here. One cause is sufficient: there is no religion in Paris. Remember me to Mrs. Jay, and believe me,

" Yours affectionately,

" JAMES I. ROOSEVELT, JR."

Mr. Roosevelt writes again, this time giving some account of the discussion of the Reform Bill:

" LONDON, July 11, 1831.

" *My dear Sir:*

" Your kind letter was not received by me until a few days ago; it had made a tour to Rome, thence back to Paris, and from Paris to London. . . .

" The discussion, in Committee of the Whole, on the 'Reform Bill,' commenced last night. Although the evening before, by the politeness of the Speaker, I was admitted on the floor of the House, I thought it would be rather trespassing to ask the favor a second time, especially when so many better entitled were necessarily excluded. I, therefore, contented myself with listening to the Lords. Owing to an expected sparring between Lord Londonderry and Lord Plunket, the Upper House was unusually crowded. I find these high dignitaries are quite as disorderly as the Members of a certain Body of which I had once myself the honor of forming a component part; and as to the House of Commons, even a very loyal English gentleman, who sat alongside of me the previous evening, observed, in reply to my remarks on

the apparent confusion, that it was in truth a perfect bear-garden. I think they act wisely in making little or no provision for the accommodation of spectators.

" Wednesday noon: My brother-in-law Mr. Ouseley has just come in. He was in the House of Commons last night. He says they did not adjourn till after seven this morning. The Bill will, no doubt, pass that Body, but its fate in the House of Lords is yet uncertain. Some new Peers are to be created, but some say that seventy will be necessary. Everything, externally, is as yet quiet; no crowds in the streets, nor even in the vicinity of the Parliament House. Should the Lords, however, reject the Bill, an explosion, I apprehend, is inevitable.

" You may tell the ladies that we were at the celebrated Almack's the other night, but saw nothing very extraordinary, except Dom Pedro. A New York Assembly and an Almack's Ball are pretty much alike.

" Yours most sincerely,

" JAMES I. ROOSEVELT, JR.

" PETER A. JAY, Esq."

The University at Cambridge sends Mr. Jay a diploma:

" HARVARD UNIVERSITY,

" CAMBRIDGE, September 24, 1831.

" *My dear Sir:*

" I have the honor to transmit a Diploma of the degree of Doctor of Laws, conferred at the last meeting of the President and Fellows of Harvard University, and avail myself of the

occasion to express the happiness I feel at being the organ of communicating this evidence of the respect entertained by the overseers of this literary Seminary for your talents and virtues.

" I am, sir, with great respect,

" Your obed't servant,

" JOSIAH QUINCY,

" President of Harvard University.

" PETER A. JAY, LL.D."

Mr. Jay was the recipient of a similar honorary diploma from Columbia College, New York, in 1835.

In the year 1831 he was made President of the Public School Society, succeeding in office Henry Rutgers and De Witt Clinton. His term of office embraced six years, from 1831 to 1837.

In the same year his services were sought by a committee, representing the mercantile interests of New York, to attend a convention, to be held in Philadelphia on September 30, 1831, which had in view the revision and reduction of the tariff. The gentlemen who composed the committee were Mr. Preserved Fish and Mr. Jonathan Goodhue.

On the 8th of November, 1831, a little more than two years after Mary's marriage, her brother, John Clarkson Jay, was married to Miss Laura Prime, a sister of Mary's husband. Upon the inheritance of the Rye Estate in 1843, after his father's death, Mr. and Mrs. Jay made Rye their permanent residence.

The Cooper correspondence requires a word of explanation. In a letter to Mr. Cooper, Mrs. Jay had requested him

to exercise his taste when he visited Paris, and select for her a wallpaper for her dining-room in the Broadway house. Mr. Jay, in his letter, which is now given, corrects the false impression which Mr. Cooper possessed that the choice was not to Mrs. Jay's taste.

" NEW YORK, February 21, 1832.

" *My dear Sir:*

" I have just received your letter of the 2d January. It has made me so heartily ashamed of myself that I sit down immediately to answer it. You are mistaken about Mrs. Jay's opinion of the paper, though I confess that her ungrateful silence gave you a very plausible reason for supposing that it was not to her taste. It was put up in the Fall, and is much admired. She likes it much, and will thank you for it herself as soon as she is able. At present she is sick with a bilious remitting fever which has reduced her to a state of great weakness. We apprehend no danger, but still she is quite sick, though getting better.

" Some years ago, our Supreme Court being unable to get through its business, a new court, called the Superior Court, was established for this city. Mr. Samuel Jones is Chief Justice, and Mess. J. Ogden Hoffman and T. J. Oakley the other Judges. This Court sits every month, and though it has proved very convenient to the merchants, it is excessively annoying to the lawyers, who have no longer any vacation. Three years ago we entered into an agreement to try no causes in August, that we might have one month in the year for relaxation. The first year I went to Niagara and returned

through upper Canada, and the next year to Boston. Last summer Mrs. Jay, Sarah and I went to Quebec. Basil Hall's prejudices never appeared to me more ridiculous than when I passed through upper Canada. In lower Canada the people appeared to me much better off than I expected to find them. There is much faction and discontent in both provinces. I bought a great many of their pamphlets to learn, if I could, something of their politics. On reading them, I could find nothing to occasion so much excitement. Their Governors are not always wise, but the policy of the English Government has been conciliatory. The grievances of which they complained are petty affairs, and I suspect the truth to be that their ambitious men have no other way to distinguish themselves than by making a figure in the opposition. This very circumstance will probably lead them, sooner or later, to independence. But they have little love for us, and I could discover no desire to be incorporated in our Union. Another cause of dissatisfaction is that the officers of the Army, of whom there are many, entertain a sovereign contempt for the Canadians and are at no pains to conceal it.

"In our domestic politics there is nothing remarkable. General Jackson's re-election is considered as nearly certain. It is mooted whether the rejection of Mr. Van Buren's appointment will do him more good or harm. I incline to the former opinion. His partizans are exerting themselves to make him Vice-President. There is, however, a bitter hostility to him at the South, which renders his success doubtful. In Congress the only question in which the public take much interest is the tariff. The revenue is more than is wanted,

and to levy taxes solely to compel the Southerners to buy dear of the Eastern manufacturers what they could buy cheap of Europeans is revolting. All, therefore, agree that the duties should be reduced, but they cannot agree in the mode of reducing them; and, unfortunately, the Southern people are so violent and unreasonable, and insist upon doctrines so inconsistent with the powers of Congress and with the Union of the States, that they drive from their standard very many and very influential persons in the Middle and Eastern States who would gladly rally round it.

"In Europe a dark cloud is hovering on the horizon. When, or where, the storm will break I cannot foresee. But it would be wonderful if the sky should clear up without a storm. A spirit of discontent seems to pervade a great part of that quarter of the world, and it is mingled with so much rancor and malevolence that I look for its effects with as much fear as hope. The present governments are, I suppose, bad enough; but is there reason to expect that the revolutionary governments which may succeed them will be better? Is it not strange that, from the time of Charlemagne till this day, France was never better governed than under Louis XVIII. and Charles X.? They did right to dethrone the latter for breaking the charter; but if they mean to break it themselves and put to sea anew without knowing where they shall land, they may find that they have gained little by the glorious three days. I cannot think that a Republic can stand in France.

"Your Dresden letter was very interesting and shows that you possessed no small degree of prescience.

" I thank you for your kind offer respecting the wine and for the specimens you promise. I will speak to some of our friends, and we shall probably trouble you to send us some. Your health has often been drunk among us, and I promise you it shall not be forgotten when every glass will remind us of you. . . .

" Your ' Bravo ' is greatly admired among us as well as in Europe. Your new novels and your travels will all be looked for anxiously and read with pleasure. Poor Sir Walter Scott! his last book made me sorrowful. I am glad to hear such good news of our friend Morse. I believe he is a worthy man as well as a good artist. I hear that Greenough is to be employed to make a statue of Washington. The exhibition of your cherubs has, I fear, brought him but little money. It is surprising how few people here know or care about sculpture.

" I hear, from others as well as yourself, the most gratifying accounts of the Miss Coopers. . . .

" My sisters returned from Charleston without much change in Mrs. Banyer's health. . . . She was pleased, as you may suppose, by your kind expressions concerning her, and she and Nancy often talk of you with much regard. In one of your letters you complained of your countrymen. You have really no reason. Your country is proud of you, and nobody seems desirous in the least to lessen your fame—unless, perhaps, some of your brother authors who are jealous. They write reviews. But the public read your books and are pleased, and you need not trouble yourself about reviews—you are above them.

"I hope that, long before this reaches you, Mrs. Cooper will be restored to health. Be pleased to remember us all most respectfully to her and the young ladies.

"Very truly yours,

"PETER AUGUSTUS JAY.

"J. FENIMORE COOPER, Esq."

The kidnapping of negroes in the city had lately created no little excitement, and Mr. Jay, now President of the Society for the Manumission of Slaves, was invited by the Anti-Slavery Society to co-operate with it to repress these iniquitous proceedings.

Reference should be made here to Mr. Jay's activities as a churchman. In his earlier life he had been a member of Trinity Church and one of its vestrymen. In later years he attended the Church of the Ascension, situated on the north side of Canal Street between Broadway and Elm Street, of which the Rev. Manton Eastburn, afterwards Bishop of Massachusetts, was rector. Here also Mr. Jay was vestryman. Indeed, the establishment of this church—for it formed a new parish—was the result, in no small degree, of the influence exerted by Mr. Jay and by his relatives and friends, all of whom promoted its success by liberal contributions.

Besides his legal attainments, a wide practical knowledge of affairs made Mr. Jay constantly the counsellor of his friends, and Bishop Onderdonk frequently consulted him about matters pertaining to the diocese.

He was sent from the Church of the Ascension as a delegate to the Diocesan Convention, and by that body as a Deputy

to the General Convention. In the former convention in 1832 he was made a Trustee of the General Theological Seminary, of the Protestant Episcopal Church in the United States, and also served on a committee to revise the canons of the diocese. He was a member of both conventions on several occasions, and took an active part in their deliberations as well as in the work of the committees.

Towards the end of his life, in 1842, Mr. Jay was again elected to the Vestry of Trinity Church.

In the autumn of 1832, New York was for the first time visited by the Asiatic cholera. From June 25 until the middle of September of the same year, there were 5,835 cases in the city, and 2,996 deaths. On the 7th of August Mr. Jay writes to his brother:

" I came to town yesterday to attend meetings of the trustees of the College and governors of the Hospital and to see to some business of my own. I shall return to Rye tomorrow. Sister's house is safe, and her woman looks the very picture of good health. Her garden is in pretty good order. Mine is completely overgrown with weeds. Dr. Stevens tells me he thinks the cholera is on the decline, and that it will soon be as safe for prudent people to return to the city as to remain in the country. At Philadelphia the disease is spreading rapidly. Though there are fewer people in the street than usual, yet the difference is much less than I had expected to find it. I have, however, been scarcely out of Broadway, thinking it prudent to expose myself to as little risk as possible. Business of all kinds is interrupted, and as multitudes will have expended their all, there will, I fear,

be a great deal of suffering next winter. We have enjoyed so much prosperity, and have, I fear, abused it so much, that this chastisement may be as useful as it is deserved. Many will despise it, but I trust that many will lay it to heart."

A writer of this period says: " The conduct of the gentlemen of the city in this time of distress was beyond all praise. The New York Hospital, which then occupied its beautiful grounds on Broadway between Reade and Duane streets, opposite the opening of Pearl Street, was under the management of a board of governors, to belong to which was one of the most esteemed honors of a New Yorker. Daily throughout this season they attended personally to their voluntary duties, and by their steadfastness greatly encouraged the suffering citizens."

Mr. Jay had been president of the New York Hospital since 1827; but in the year 1833, finding that his avocations were such that he could no longer perform his duty to the Institution with convenience or in a manner satisfactory to himself, he sent in his resignation to the governors. Mr. Thomas Eddy preceded him in office as president, and Mr. Jay's successor was Mr. George Newbold. As a member of the board of governors, Mr. Jay had served the hospital since 1908, a period of twenty-four years. Soon after his resignation, Mr. Newbold sent him the letters and resolution which are given below:

" NEW YORK HOSPITAL, June 8, 1833.

" PETER A. JAY, Esq.

" *Dear Sir:*

" I have the pleasure to hand you enclosed a copy of a resolution unanimously adopted by the board of governors of the New York Hospital at their meeting on Tuesday last, expressing their thanks for your long and faithful services as President of the Society, and I have the additional gratification to request in behalf of the board that you will sit for your portrait for the use of the Institution. Permit me, Sir, to express the hope that you will be pleased to favor us by a compliance with this request, and I shall be happy if you will advise me accordingly.

" I am very respectfully

" and sincerely yours,

" GEO. NEWBOLD, Pres't.

" At a monthly meeting of the governors of the New York Hospital held on Tuesday, the 4th day of June, 1833, it was.

" *Resolved*, that the thanks of this Board be presented to Peter A. Jay, Esq., for his long and faithful services as President of the Society of the New York Hospital, and that the President communicate the same and request Mr. Jay to sit for his portrait for the use of this Institution.

" Extract from the minutes of the governors.

" For ROBERT J. MURRAY,

" Secretary.

" JOHN W. STERLING,

" Clerk of the N. Y. Hospital."

" NEW YORK, June 8, 1833.

" *Dear Sir:*

" I have received your letter enclosing the resolution of the governors of the New York Hospital, passed on the 4th inst. Be pleased to assure them of the sensibility with which I receive this mark of approbation, the sincere regard and esteem which I feel for each of them individually, and my undiminished attachment to the excellent Institution over which they preside—and accept, Sir, my acknowledgments for the manner in which you have been pleased to communicate their resolution.

" With great respect and regard,

" I am, dear Sir,

" Your obed't serv't,

" PETER AUGUSTUS JAY.

" GEO. NEWBOLD, Esq."

" NEW YORK, June 11, 1833.

" *Dear Sir:*

" I am pleased to believe that you will afford the governors of the New York Hospital the opportunity to obtain your portrait for the use of the Institution; and wishing to employ the artist to take it that may be most agreeable to yourself, I will esteem it a favor if you will inform me who you prefer.

" With great regard I am, dear Sir,

" Very sincerely yours,

" GEORGE NEWBOLD.

" PETER A. JAY, Esq."

The portrait was painted by A. B. Durand, and a copy has lately been made and presented, at its request, to the New York Historical Society. From this picture the plate is taken which appears in this volume.

On account of continued indifferent health and to escape the inclemency of the climate at home, Mrs. Banyer and her sister Miss Ann Jay spent the winter of 1833 at Santa Cruz. Mrs. Banyer writes to her brother:

" SANTA CRUZ, January 25, 1833.

" *My very dear Brother:*

" We were truly rejoiced to receive so many letters by the *Buenos Ayres* and heartily thank one and all of the dear friends who conferred on us the greatest pleasure we can enjoy while absent from them. . . .

" You were not forgotten, dear brother, at the season for mutual gratulation and kind wishes, which were again felt, though they could not be expressed, on your birthday. Long may your precious life be spared to bless, as you have ever done, all around you; and, finally, may our beloved father's wish be fulfilled—to meet all his children in Heaven.

" We are seriously concerned for the fate of the Union; though Carolina cannot do much harm to other States in any other way, it is no small injury to disturb the harmony of our happy confederacy, and may lead to trouble. I sincerely pity the minority in that unhappy State. . . .

" The Governor here gives a grand ball next week in honor of the King's birthday. . . . The Governor is a perfect Viceroy, and I am told the Government House vies with the

Palace at Copenhagen. Every one wonders that we can decline his invitation to the ball. An invitation to one of his subjects is considered as a command; happily, we are Republicans, free and independent. He was so polite as to send his Secretary to say that he would send his carriage for us. His salary amounts to $ 50,000 a year. . . .

" I am, my very dear brother,

" Yours most affec'y,

" M. BANYER.

" PETER A. JAY, Esq.,
" New York."

In the spring of 1833, Mr. Jay was appointed by Governor Marcy one of three commissioners from New York State to settle the boundary between New Jersey and New York. The letter of appointment is given below:

" ALBANY, March 5, 1833.

" *Sir:*

" By an Act passed at the present session of the Legislature it is made my duty to appoint three Commissioners to meet a similar number from the State of New Jersey to settle the controversy between that State and New York in relation to the boundary and jurisdiction of them. The importance of the duty to be performed has induced me to consider well the qualifications which the Commissioners should possess, and to feel a solicitude to select persons who have them in the highest degree. Various considerations, to which I need not allude, induce to wish that you would consent to act as one of them. I offer you the appointment and shall be gratified to

learn that you are willing to accept it. Mr. Butler will be one of your associates. I have not fully determined to whom I shall offer the other appointment.

" I have received information from the Executive of New Jersey that Mr. Frelinghuysen, now in the United States Senate; Mr. Elmer, now or lately Attorney-General of that State; and Mr. Parker, of Perth Amboy, have been selected Commissioners for New Jersey.

" I should be pleased to be informed of your determination on this subject at as early a day as it will be convenient for you to make it known to me.

" I am, with great respect,

" Your obed't serv't,

" W. L. MARCY.

" PETER A. JAY, Esq."

Mr. Jay replied with the following letter of acceptance:

" NEW YORK, March 9, 1833.

" *Sir:*

" I have received your letter of the 5th inst., and cannot but be flattered by the offer it contains and the manner in which it is conveyed. If you think that I can be useful as one of the Commissioners to meet those of New Jersey, I will accept the appointment. I could not have a colleague more agreeable than Mr. Butler.

" I am, Sir, with great respect,

" Your very obed't serv't,

" PETER AUGUSTUS JAY.

" Governor MARCY."

Henry Seymour was the third commissioner appointed by the Governor. Soon after his appointment, Mr. Benjamin F. Butler wrote to Mr. Jay in regard to the various matters to be discussed by the commission, and concluded by saying: "In arranging these details, we shall very greatly rely on your superior knowledge of what is due to the commerce, health, police and improvements of your city, all which are to be carefully considered in the propositions we may submit or receive."

After numerous sessions held during the summer of 1833, an agreement was made and entered into by the joint commissioners, on September 16, defining in particular and with the minutest detail the boundary line between New Jersey and New York, the rights of property and exclusive jurisdiction of each State, etc. This agreement was confirmed by the Legislatures of the two States in February, 1834, and approved by Act of Congress, June 28, 1834.

Mr. Sedgwick, having finished his "Memoir of Governor Livingston," sends, with a copy of the book, his acknowledgments:

"NEW YORK, March 31, 1833.

"*My dear Sir:*

"With this you will receive a copy of the 'Memoir of Governor Livingston.' Allow me once more to thank you for the assistance you have so obligingly furnished me in this undertaking, and to assure you of the respect and regard with which,

"I am your most faithful servant,

"THEODORE SEDGWICK, JR.

"P. A. JAY, Esq.,
"New York."

Mr. Sedgwick's father, Theodore Sedgwick, was the eminent jurist whose opinions, as Judge, were remarkable for clearness of expression and elegance of diction. He married Mr. Jay's first cousin, Miss Susan Ridley, a granddaughter of Governor William Livingston.

Again Mr. Jay writes to Mr. Cooper, now but a short time before his return from his long residence abroad:

" NEW YORK, May 14, 1833.

" *Dear Sir:*

" Having repeatedly heard you were coming home this Spring, I have doubted whether letters would reach you; but Miss Martha de Lancey, who was here this evening, tells me that your return will be delayed till autumn. . . .

" My brother William has just published a Life of my father, which I would send you if I knew how. Having commenced author, he must expect critism. I hope he will wince under it less than you do.

" I have seen a beautiful picture by your daughter. Sarah knew Miss Susan's portrait immediately. . . . It would really do credit to any artist. . . .

" We saw a good deal of the Marquis C. Torrigiani, who brought a letter from you. He is a modest, well-informed young man, a liberal in his politics, and is much pleased with New York. He has gone South. He seemed astonished at the absence of beggars and soldiers, and at the immense business which is doing here. . . . This city has become the great place of import for the whole Union. It has, I believe,

very nearly doubled since you have been in Europe; its population cannot, I think, be less than 220,000, besides Brooklyn, which contains 12,000.

" If we can but remain united for another generation, this country will become a power which the Europeans will cease to sneer at, though they may not cease to dislike us. The storm from Carolina has passed over with much thunder, but little damage. There is, however, a very bad spirit remaining in that State; and Georgia, North Carolina and Virginia are partially infected with it. The agitators are exerting themselves to create discord and break up the Union. This was to be expected, because nothing but agitation can preserve their influence. A separation might make them little Kings or Dictators. Concord and content will be fatal to them. The conduct of the President in relation to the Carolina affair was, I think, firm, temperate and wise, and might atone for many errors. It was unexpected because very different from the spirit of his proceedings respecting Georgia. Our governments often play the fool, and I suppose are not more honest than those in other parts of the world; yet, with all their faults, we are the freest and most prosperous people on the globe, and ought to be abundantly more thankful than we are for the blessings we receive from a beneficent Providence.

" Mrs. Jay begs you to accept her thanks for the beautiful box you sent her by Mr. Thorne. She and all the family beg to be remembered to you, Mrs. Cooper and the young ladies and gentleman. . . .

" When shall we see ' The Headsman of Berne '?

" Believe me, my dear sir, with sincere regard,

" Your friend and servant,

" PETER AUGUSTUS JAY.

" J. F. COOPER, Esq."

In the earlier pages of this volume Mr. Jay has given us his experiences of travel in boats propelled by steam soon after their introduction on the Hudson. An opportunity now presents itself of learning from Mrs. Jay and Mr. William Jay their experiences of railway travelling with a locomotive.

Mrs. Jay goes in the spring of 1833 to Philadelphia, Baltimore and Washington, and in her letter to her husband says: " So far our journey has been very agreeable. The sail, if I may so call it, was very pleasant. We had a fair breeze, and the views on each side the river are pretty. At half-past twelve we entered the cars on the Railroad—there were five, with about twenty-four persons in each. The baggage on board the boat was put into immense trays and slung by machinery in the cars appropriated for it. It remains in these cars until put in the cart at Philadelphia; so that you have no care of it from the time you see it put in the tray. The road from Amboy to Bordentown is uninteresting, with few exceptions, until you come to the last ten miles, which is through a very pretty country. Joseph Bonaparte's house and grounds are very pretty, and I recognized, with many agreeable observations, the waters of the Delaware, upon which I had floated so often in early life. The views along the river are confined, on account of the country being so flat; but the little towns and country-seats are beautifully in-

terspersed among the clustering trees. You would not suppose you were approaching a large city in coming here by water. You see no masts crowding the wharves, and no spires of churches, but a dull level, as flat as possible. We arrived at seven, and walked to the United States Hotel, where we were at first told we could not be accommodated; but after hearing who we were our informant said he would try and make us comfortable. We have excellent separate rooms, with a large private parlor. Only think how cheap travelling is to his place! I have only paid for Helen and myself seven dollars, meals included."

The next day, the 20th, Mrs. Jay writes from Baltimore that in Philadelphia she had been to Mr. Bedell's church, but heard Mr. Renshaw. The Messrs. Norris, Newbold, Fisher and the de Lanceys had called; and she adds: " This morning we got up early and went on board the *Robert Morris*, an excellent steamboat; passed Chester and Wilmington, and at Newcastle took the Railroad—the cars drawn by a locomotive engine. We went sixteen miles an hour! most delightfully, without the *least fear*. I think there were eight or ten cars. We had a car for our party, and it really was almost the same as if we had been sitting in a steamboat. Going so rapidly produced a delightful breeze, which inspirited us all, and we enjoyed our ride exceedingly. We all got to Frenchtown too soon, when we went immediately on board the steamboat on the Elk River and entered the Chesapeake Bay, which is very wide, and in some directions the land is not visible; but as soon as you enter the Patapsco River the scenery changes. We then went on the upper deck and viewed with pleasure

the approach to Baltimore, which is beautiful. I only wonder I have not heard it mentioned before. We determined to proceed immediately to Washington, and all got in a stage, when it commenced to rain, and continued to rain as hard as it could pour; so we changed our mind and went to the hotel. While on board the steamboat, the Norfolk boat passed and took off the passengers for that place; so that if a person felt inclined to go there from New York, he could leave that city on Monday morning and be in Norfolk on Wednesday morning, without the slightest fatigue and very little expense. My dear husband, you must take this jaunt. I am sure you would be pleased, everything is so new and the travelling is like magic. . . ." The party soon went to Washington for a few days, and were introduced to the President (Andrew Jackson). The letter continues: "I was very agreeably disappointed with his appearance, which is really like that of a gentleman of the old school. His health is very feeble."

Mr. William Jay writes from Saratoga in the summer of the same year (1833) to his brother:

"We have just returned from a ride to Ballston on the *Railway*. It is an expeditious mode of travelling, but for pleasure I prefer a coach and four on a good turnpike. We set off in a train of eight cars, each containing seats for eighteen persons, together with three heavy baggage-wagons. The momentum of such a mass moving with the velocity of nearly twenty miles an hour is, indeed, fearful, and your unavoidable reflections on the tremendous crash that would follow the breaking of a wheel axle are far from pleasant. The rattling of fifty iron wheels renders conversation difficult, and

the smell and smoke of the engine are frequently offensive. Add to all this an incessant tremulous motion, which, without jolting, agitates every part of the body, and you have an idea of railway travelling."

This same year (1833), on the 23d of September, Mr. Peter Jay Munro died. He was, as we have already seen, a former law partner of Mr. Jay and his first cousin.

Mr. Munro was the only child of Rev. Dr. Harry Munro by his wife, Eve Jay, and was born January 10, 1767. At the age of thirteen he was taken by his uncle, Mr. Jay, on the latter's mission to Spain. On his return with Mr. Jay, he studied law in the office of Aaron Burr, subsequently representing Westchester (in 1814—15) in the State Assembly and (in 1821) in the Constitutional Convention. He gained lucrative practice and prominence as a lawyer, but in 1826 paralysis disqualified him for further active business, and the residue of his life was spent in retirement. His wife was Margaret, the third daughter of the Hon. Henry White, of the Governor's Council of New York. Mrs. Henry White was Eve Van Cortlandt, a daughter of Frederick Van Cortlandt and Frances Jay of Yonkers. Twelve children were born to Mr. and Mrs. Munro—four sons and eight daughters. Henry married Anne Margaret Bayley, and he alone of all the sons had issue. Frances married Bishop de Lancey. Harriet became the wife of Augustus Frederick Morris (afterwards Van Cortlandt), great-grandson of Frederick Van Cortlandt and Frances Jay. Anne Maria became Mrs. Elias Desbrosses Hunter, and Sarah Jay became Mrs. Asa Whitney. All of Mr. Munro's married daughters had issue except Mrs. Whitney.

Mr. and Mrs. Jay were very hospitable; their parlors in the Broadway house were constantly filled with friends. Their dinners were functions of more than usual interest. At such times the guests had an opportunity of listening to the brilliant conversation of many who had large and varied experiences and were delightful in their way of relating them. There is a list extant, though unfortunately without date, which refers to a dinner given by Mr. Jay to which the following gentlemen were invited: The Mayor, Mr. Philip Hone, Mr. Philip Schuyler, Mr. Washington Irving, Mr. William Jay, Mr. Walter Smith of Baltimore, Mr. J. Fenimore Cooper, Mr. Donaldson, Mr. Gaston of North Carolina, Mr. Robert Ray, Commodore Ridgely, Mr. James Lenox, Mr. Jonathan Goodhue, Mr. Peter Schermerhorn, Chancellor Kent, Mr. Peter G. Stuyvesant, Mr. G. M. Wilkins, Mr. Philip Van Rensselaer, Rev. Dr. Wainwright, Mr. David S. Jones, Mr. Daniel Webster, Mr. Herman Leroy, Mr. William P. Van Rensselaer, Mr. Campbell P. White, Mr. Joseph White of Baltimore, Mr. O'Donnell of Baltimore, Mr. Albert Gallatin, Dr. J. Augustine Smith, Mr. J. de Peyster Ogden, Commodore Chauncey, Mr. Rufus Prime, Mr. Prime, Mr. Gilmore of Baltimore.

Records also exist of another dinner at which Mr. Jay had for his guests all the bishops comprising the House of Bishops of the Protestant Episcopal Church, then in session in the city; and from numerous other records in the same note-book, all without dates, are lists of names of the persons present at dinners, balls and evening parties. We give but one other list—these were the guests at a tea-party: Mr. Clement Moore, Rev. Dr. Bethune, General Robert White, Mr. Robert Em-

MRS. PETER A. JAY

met, Mr. Theodore Sedgwick, Mr. and Mrs. Charles King and daughters, Mr. William P. Van Rensselaer, Rev. Dr. and Mrs. Wainwright, Mr. J. Laurie, Mr. and Mrs. Roosevelt, Messrs. de Peyster, Mr. D. J. Costar, Colonel Trumbull, Mr. and Mrs. Robert Lenox, Messrs. Hamersley, Chancellor and Mrs. Kent, Mr. and Mrs. Archibald Gracie, Rev. Dr. and Mrs. Berrian, Mr. Merideth, Mr. and Mrs. W. Beach Lawrence, Dr. and Mrs. Delafield, Colonel and Mrs. Fish, Misses Livingston, Mr. Philip Schuyler, Miss Huger, Mr. and Mrs. Donaldson, Mr. and Mrs. James P. Van Horne, Bishop and Mrs. Onderdonk, Mr. S. F. B. Morse, Mr. and Mrs. G. M. Wilkins, Mr. Kemble, Mr. and Mrs. Robert Morris, Messrs. Coit, Mr. Stephen C. Williams, Mr. and Mrs. Jacob Leroy, Miss Douglass, Mr. and Mrs. Peter Schermerhorn, Mr. and Mrs. William Seton, Mr. Hamilton Fish, Miss Edgar, Mr. Newbold, Dr. and Mrs. Stevens, Mr. and Mrs. James King, Mr. and Mrs. Bard, Messrs. Rutherfurd, Mr. and Mrs. Ledyard, Misses de Lancey, Mr. Bowdoin, Rev. Dr. Muhlenberg, Mr. William Dawson, Mr. and Mrs. Henry Laight, Mr. and Mrs. Heyward, Mr. Otis, Dr. J. Augustine Smith and daughter, Mr. Corbin, Dr. Wilkes.

The list comprises, besides other members of the above families, members also of the families following:

The Constables, McVickars, Joneses, Bakers, Rogerses, Palmers, Carys, Montgomerys, Primes, Philipses, Kearneys, Wattses, Thompsons, Cuttings, Wilsons, Davises, Callenders, Crugers, Wellses, Posts, Piersons, Hoffmans, Goelets, Fords, Bayleys, Lows, Dorrs, Stoughtons, Baldwins, Van Wagenens, Winthrops, Brunells, Oppenheimers.

The death of Mrs. Prime, which occurred on September 9, 1835, at her husband's residence, Hell Gate, was the first death in the home circle, and a severe affliction. When Mary was only thirteen, Mrs. Banyer wrote to her brother: "Your daughter Mary, as Papa often says, 'is one of a thousand.' If her principles and good sense were not equal to her beauty and accomplishments, I should almost tremble for her; but I delight to contemplate the loveliness of her person and the endowments of her mind deriving increased lustre from her virtue and piety." These qualities were still further developed in her womanhood, making her a great favorite in society.

Mrs. Jay, already feeble in health, never recovered from the sorrow which the death of her daughter produced; and, indeed, it was thought that this sorrow tended to increase her feebleness and, perhaps, to accelerate the pulmonary trouble with which she was threatened. Mr. Jay, in a letter to his sister, Mrs. Banyer, said: "There is no love so strong as a mother's, and my wife suffers more than any one else"; then he adds: "We have infinite cause for thanksgiving, and though we cannot but feel the smart, it would be impious to murmur."

December of this year (1835) was one of the coldest known for many years. On the sixteenth day of the month occurred a fire which for its extent and destructiveness will ever be memorable in the annals of the city. All the lower portion of New York was enveloped in flames. Six hundred and fifty buildings, involving a loss of eighteen millions of dollars, were destroyed before the conflagration could be arrested.

All business was paralyzed. Insurance companies could not meet their obligations, and in the next year the banks suspended specie payments. The effect of this calamity was felt in business circles for many years.

Every family shared more or less in the losses which this ruin had created, yet two projected marriages in Mr. Jay's family took place notwithstanding. On the day after the outbreak of the fire (December 17, 1835), Catherine Helena was married to Dr. Henry A. Du Bois; and two months later, February 11, 1836, her sister Sarah married William Dawson.

Mr. Jay had now made the house at Rye his summer residence for many years, and under his direction and the taste of his wife the place had been greatly improved. Its farm-like character had given way to great rural beauty; fences were removed and haw-haws, when necessary, were substituted for them; fields of grain or stubble, under the skilful hand of the gardener, were succeeded by a lawn of luxuriant verdure, undulating and reaching to the water's edge. To a pleasing landscape, trees of various kinds were planted, between which glimpses could be had of the Sound and the shores beyond. The house itself had undergone but little change—it was still a long, low building of two stories with its gables and chimneys; its rooms were numerous, but small, and the ceilings low. The house and the piazza on the eastern front were eighty feet in length; it was a picturesque, but not an imposing structure. There were two doors of entrance, one on the east side and the other on the west; each was divided into two parts—the upper part could be opened while the lower part remained closed. The sitting-room was in the north

end of the house, having three windows opening towards the Sound and one towards the road. In this room some of the family with their guests were constantly gathered, for the house was nearly always full of company; and during those drear and anxious days of the cholera season in New York, in 1832, a little paper known as " The Rye Budget " was improvised by the guests, which contained, in prose and verse, comic and tragic, the inspiration of young and old, and to which Mr. Jay himself was an occasional contributor.

Already plans were being considered and arrangements making for removing the old house and building a new one on the same site. The plan proposed was a structure of wood having a front of about eighty feet, with a projecting portico supported by columns on the side nearest to the approach from the road, and a spacious veranda on the Sound side. This plan was finally adopted.

Mrs. Banyer is again away from home; she is now in England, and always finds in her brother Peter a ready correspondent. This letter makes reference to the sufferings still felt as the result of the great fire:

" NEW YORK, March 30, 1837.

" *My dear Sister:*

" . . . The commercial embarrassments are greater than I have ever known them. Many who have speculated in land will be ruined. The credit of merchants has suffered, and much alarm prevails. . . . A son of Lady Hayes has arrived here, but I have not yet seen him. . . . Our last accounts from Frederick [Prime] are of the 9th February. He

was then at Rome, but meant soon to leave it, and expected to be in England in April or May, where I hope he will find you out and see you. His health and spirits have improved. . . . I am surprised to hear that Mr. Wilberforce's sons are very High Churchmen. It has appeared to me, for many years, that the English High Church clergy were undermining the foundations of their own Church. Instead of adapting the Establishment to the altered circumstances of the country, they have, to every ancient regulation and even to every abuse, taken pains to irritate the dissenters, who already form a large number of the nation, and who, if different measures are not pursued, will become the majority. While the population of the Kingdom has doubled, the number of churches has scarcely been increased. A Presbyterian may erect a Meeting House and collect a congregation at pleasure, but a clergyman of the Church may do nothing of the kind. Neither can a new parish be established, unless with the greatest difficulty, lest the tithes of the actual Rector should be diminished; so that a large portion of the people are excluded from the churches and must go to Meeting or not worship at all. If they prefer the former, they are railed at as schismatics. The right of patronage or of appointing Ministers for distant congregations is openly sold and is bought as a provision for younger sons. Of course, improper persons are often introduced into the Church, and there can be but little sympathy between the pastors and their flocks. Many reforms are, I believe, necessary; and I believe, too, that they will be made, but I could have wished them made by the friends and not by the enemies of the Church. What-

ever of this kind is done by its enemies is generally done in a manner and spirit not calculated to conciliate. I trust, however, that its present troubles will tend to purify and finally to strengthen the Church of England, which, with all its faults, is, I believe, the best in Europe. . . .

" Your affectionate brother,

" PETER AUGUSTUS JAY.

" Mrs. BANYER,
" 76 Morland Place,
" Southampton, England."

It was now the year 1838, and the new house at Rye was finished and furnished and the family had moved into it. Mr. Jay was now sixty-two years old. Mrs. Jay's health had not improved, and fears were entertained that her disease—an affection of the lungs—was making progress. To endeavor to arrest this progress if possible,—at least, to secure some amelioration of the symptoms which attended her illness,—it was determined, upon the advice of her physician, that she should spend the winter on the island of Madeira.

There were few vessels trading between the island and New York, and none at this particular time. Through the agency of his son-in-law, Mr. William Dawson, a merchant in the city, the *Whitmore* was chartered by Mr. Jay; and as soon as the necessary preparations could be made the family embarked. The party consisted of Mr. and Mrs. Jay; a maid, Kitty Cassidy; Dr. and Mrs. Du Bois and their son Cornelius; and Mrs. Du Bois's sisters, Anna Maria and Matilda,—all three being daughters of Mr. and Mrs. Jay. Besides a few

RESIDENCE AT RYE

In 1838, when house was finished

others, they had for fellow passengers Mr. Eugene Livingston and his two unmarried sisters, Margaret and Matilda, the latter also an invalid.

They left New York on the 25th of September, and after an unpleasant voyage of thirty-eight days arrived at Funchal, the port of Madeira, on the 2d of November. "We had," said Mr. Jay, "almost continually a heavy swell, and frequently squalls, so that the ship rolled excessively. On the 18th of October we lost our foretopmast, which went over the side, and in its fall broke off the head of the foremast and the head of the maintopmast. A jury topmast was got up in a couple of days, but we could not afterwards carry topgallant sails."

The city of Funchal had no harbor—not even a wharf or quay. The ship lay half a mile from the shore, and a landing had to be made in a small boat through the surf which broke upon a pebbly beach. "Mrs. Jay was lowered into the boat in a chair swung on the yardarm," continued Mr. Jay. "When we approached the shore the boat was turned round and pushed stern foremost through the surf, and then the boatmen, jumping out, drew her a little way on the beach. A rope was instantly fastened to the stern, by which a yoke of oxen drew her high and dry."

A furnished house, called a *quinta*, or country house, pleasantly situated just outside of the city, had been rented for their use. A small garden, full of flowers, was attached to it. From the west windows of the drawing-room the city, the sea, and the vessels in the roadstead could be seen; also, the Loo Rock, crowned with a castle. This view, which included the

mountains opposite, was rendered still more attractive by the sunsets. Mrs. Jay from her wheel chair would sit and gaze upon the magnificent spectacle until the last tint had faded from the sky.

The letters state that during the first fortnight after her arrival, Mrs. Jay's symptoms were more favorable, inspiring her and even the doctor with hope. Occasionally she would go out in a palanquin, there being no wheel-carriages on the island. Her improvement, however, was but temporary; her strength continued to diminish, the disease increased rapidly, and by the middle of December all hope of recovery had been lost. Though realizing her condition, her spirits never failed —she was cheerful to the last. In reply to questions put to her, she would say that she had not the slightest fear of death. Until a few hours before she died, her mind remained perfectly clear and strong. Her death occurred on the day before Christmas, about half-past two in the morning. The remains were brought home, and the interment was made in the Jay cemetery at Rye on April 30, 1839, a few only of the near relatives being present.

Mr. Jay had at no time indulged the sanguine hopes that were held by other members of the family; he was therefore, as he writes, looking forward to the result with much anxiety. After all was over, he wrote to his wife's uncle, Mr. Rutherfurd: " My fears that the experiment had been made in vain have been verified."

The Livingstons were neighbors of the Jays at Funchal. Matilda Livingston's health failed to improve, and, like Mrs. Jay, she did not live to go home.

An immediate return to New York proved impracticable. Mrs. Du Bois had just given birth to a son, and there was no vessel to facilitate the home trip. Mr. Jay, moreover, was not well.

During the four months and upwards of the residence of the family at Funchal they found the climate pleasant. Of the common people Mr. Jay writes: " They were remarkably civil and even ceremonious to one another, as well as to their superiors. They had received no education, and could neither write nor read. They were a good-humored, light-hearted race. We heard of no murders, or robberies, or riots, or offences accompanied with violence. But cheating and lying are so much matters of course that their detection occasions no shame. The cabins of the peasants were about ten or twelve feet square. The walls were of stone, without mortar, six feet high, and thatched. They have no chimneys, and often no windows, and the floor was of earth. They were dirty within, but the ground around them was kept neat and almost always contained flowers."

Mr. Jay thought " the Romish religion had become imbecile; no one seemed to care anything about it; even its forms were not observed. There was no preaching in the churches, except on particular occasions. No jealousy of the Protestant religion seemed to exist, nor any curiosity about it." When he applied for seats in the English chapel, he was referred to a Roman Catholic, who went with him to the church, showed him the vacant seats, and agreed with him for the rent. The sexton was a Roman Catholic. The government collected the tithes and undertook to support the

clergy, but they were wretchedly paid. Many churches were closed, but open churches were very numerous, some of them large, but none handsome.

Of the island Mr. Jay wrote, describing the ascent of one of the mountains: "I said that we saw the sea, but in truth we looked down on white, fleecy clouds which covered the sea, unless where an occasional opening allowed us to perceive the dark waters of the ocean. Over our heads the sky was perfectly clear, and of a light, deep blue. We were 5500 feet above the sea. The clouds I have mentioned filled the bottoms of the ravines and the Curral into which we looked down. The prospect was irregular and grand. We were now in the centre of what seems to have been the principal theatre of the convulsions and fiery eruptions by which this island has probably been formed, and were impressed with the astonishing power of the tremendous agents which had been at work. The rent and shattered mountains cloven by abysses, apparently bottomless, the rocks cracked and the earth parched by fire, large tracts sunk down and peaks thrust up thousands of feet into the air, reminded one of that day when the elements shall melt with fervent heat. The scene of itself was exceedingly grand, and by the ideas which it suggested became sublime and even awful."

The island, only thirty-two miles long, is an irregular mass of mountains divided by immensely deep and precipitous ravines. It is traversed by zigzag roads, making easier approaches to distant places practicable, though requiring much time in accomplishment.

The time at length arrived for a vessel to sail, and the Jays,

accompanied by the Livingstons, embarked on the *Mexican* on March 16, 1839, and arrived at New York after an uneventful voyage of thirty-six days.

Hearing of his brother's arrival, Mr. William Jay writes:

" BEDFORD, April 24, 1839.

" *Dear Peter:*

" A letter from Augusta received last evening informed me of your arrival. I shall hasten to town as soon as possible to see you.

" You return with many painful recollections, but you have also many present blessings, and there are many, I trust, still in reserve for you. Your trial has been great, and so also has been your consolation.

" I am, dear Peter,

" Your very affectionate Brother,

" WILLIAM JAY.

" PETER A. JAY, Esq."

Mr. Jay was at this time in New York, as we see by the following letter, but was preparing to go into the country. He is writing to his old and much valued friend, Judge Jones, begging him and Mrs. Jones to make him a visit at Rye. Mr. Jones was a man of pure and lofty feeling, of refined character, and of warm, generous affections. Mrs. Jones was the eldest daughter of De Witt Clinton.

" NEW YORK, May 30, 1830.

" *Dear Jones:*

" . . . I don't know when I shall be able to comply with

your kind invitation. I have not yet been to see my brother. Next week my children will all be collected around me at Rye, and I meant, as soon as we were settled there, to entreat you and Mrs. Jones to pass some time with us. As soon as possible after next week do come. Alas! she for whose sake, principally, I have been building and improving, and who would have delighted to welcome you both,—and in her you have lost a sincere friend,—is not there. But my daughters will endeavor to make it agreeable to you. I take a melancholy pleasure in recollecting an excursion to Montauk. Happy is it that we cannot penetrate the future. How it would have poisoned my enjoyment if I had then foreseen that in a few months I should behold the commencement of that disease which was to prove so fatal! But I shall not trouble you with my unavailing regrets. As my old friends drop off, I value the more those who remain; for new acquaintances, however estimable, cannot supply the places of those who were the companions of our youth. When I observe how few of these survive, I am reminded of an observation in one of my father's letters, that 'as we are here mere birds of passage, this is not the place to build our nests.' But I won't preach. Come and see me, and you shall find that I can still be a cheerful companion.

"I am sorry to hear that Mrs. Jones has been indisposed. I trust that her health is now restored. Remember me to her very respectfully, and believe me, dear Jones,

"Very sincerely your friend,

"PETER AUGUSTUS JAY.

"D. S. JONES, Esq."

MR. JAY TO JUDGE JONES

Mr. Jay returned to the city from Rye for the winter. He was broken in spirit, but resumed his law practice, and among other avocations took up his duties as Chairman of the Board of Trustees of Columbia College and as Trustee of the General Theological Seminary.

Another letter to his friend Judge Jones, however, intimated that the pursuit of his profession would probably not be of very long continuance:

" NEW YORK, December 3, 1839.

" *Dear Jones:*

" I have received your letter of the 29th ulto. . . . I have not yet decided to give up my office, and think I shall keep it another year.

" The times are indeed out of joint. . . . Should you return to your profession, you must not be disappointed or discouraged if you find it less profitable than formerly. Business abandoned, like water spilt, is very difficult to gather again. However, I cannot but think that commercial affairs will, in the course of another year, assume a better aspect, that money will be more plenty, and that the value of property will again increase.

" . . . You know my father's old maxim, ' Prepare for the worst, but hope for the best.' I have always practised at least the last part of this apothegm. Hope, if it had no other advantage, is a much more agreeable inmate than despondency, and is, besides, ranked by St. Paul as one of the three great Christian virtues.

" I hope and trust that Mrs. Jones is recovering her health,

and that next spring I shall have the pleasure of seeing you both at Rye.

" Be pleased to remember me to her very particularly and respectfully.

" I am, dear Jones,

" Yours truly,

" PETER AUGUSTUS JAY.

" D. S. JONES, Esq."

Mr. Jay's reminiscences of his father always make most pleasant reading. The late Master of the Temple in London said: " We cannot afford to forget the great and good men who have lived among us." Some of these reminiscences are recorded in a letter to William Jay:

" I have often thought that the harmony which subsisted in our family has been one of the greatest blessings we have enjoyed, and I have felt this the more sensibly from seeing the dissensions which have divided others. . . .

" Our father's character will always be more admired in proportion as it is understood and considered. It was formed principally by a judgment uncommonly strong, an inflexible resolution to do what he believed to be right, a tender heart and warm affection, which, under the influences of Christianity, filled him with love to God and man, without blinding him to the corruption of human nature, or the frailties of individuals, of which he was an admirable judge."

The Presidential campaign of the summer and autumn of 1840 was one of intense excitement throughout the country. Martin Van Buren was nominated for re-election by the

Democrats, while the Whigs nominated General William H. Harrison. One notable feature of the campaign was the great number of mass meetings held, and the use, to an extent hitherto unknown, of songs, banners and devices of every kind and description in the processions.

Mr. Jay took a great interest in the canvass, and on several occasions spoke to help promote the success of the Whig candidate. The Whigs invited him to run for Congress, but he declined.

"I think you acted wisely in declining a nomination for Congress," wrote Judge Jay to his brother. "Had you been elected, you would have found it difficult to satisfy a party so many of whose leaders boast of their Jeffersonian Republicanism."

The result of the election was the complete overthrow of the Democratic party.

The following letter expresses Mr. Jay's views on the subject:

"NEW YORK, November 23, 1840.

"*Dear William:*

"I went to Rye on Tuesday last to set out some trees and shrubs, and returned on Thursday, leaving the ground covered with two inches of snow. . . .

"I do not know what will be the consequences of the late election, but I rejoice at the fall of the Van Buren Administration, which I think has been the most corrupt we have seen. The result in Tennessee shows the fickleness of popular favor. A few years ago, General Jackson could do as he

pleased and laughed at all opposition, even when a majority of Congress was against him; now, with all his efforts, he has been unable to influence his own State, county, or town.

" The Whigs, whose bond of union has been a common enemy, will probably divide, and what measures will be pursued cannot be foreseen. Perhaps to do nothing will be more expeditious than anything else; the dread of innovations and the impossibility of calculating their effects has had a most pernicious influence on all business. Let people alone, and things will gradually recover. Unhappily we have no statesmen in whom much confidence can be placed.

" I am, dear William,

" Your most affectionate brother,

" PETER AUGUSTUS JAY.

" WILLIAM JAY, Esq.

" Bedford."

General Harrison remained in office just one month, his death occurring on April 4, 1841. Mr. Jay was invited by the committee of arrangements to be one of the twenty-six pallbearers, a number chosen to correspond with the number of States in the Union.

It must not be forgotten that at this period great excitement prevailed throughout the country relating to a dissension which had lately arisen about the boundary-line between the State of Maine and the British province of New Brunswick, commonly known as " the Northeastern Boundary question." The subject, agitated for a long time, threatened danger to the peaceful relations which subsisted between the United

States and Great Britain. Eventually it was settled by a treaty dated August 20, 1842. The negotiations were conducted at Washington by Daniel Webster, then Secretary of State for the United States, and by Lord Ashburton for Great Britain.

The letter which follows takes its color from the times in which it was written; it was addressed by Mr. Jay to his cousin, formerly Captain, now Admiral, White of the Royal Navy:

" NEW YORK, March 8, 1841.

" *My dear Sir:*

" . . . I hope, as you do, that peace will be preserved between our countries; and it is so much the interest of both that I cannot yet believe that it will be disturbed. One regiment would, in one year, cost as much as the whole value of the land in dispute on our north-eastern frontier. By-the-bye, I perceive that the English papers take for granted that our claim is unjust and fraudulent. This is certainly not so. I have in my possession a large map, formerly belonging to my father, which was used by the Ministers who signed the Treaty of Peace, on which the Boundary Line, as marked by Mr. Oswald, the *British* Minister, is laid down exactly in accordance with the American claim.

" As to the business of the *Caroline*, both parties are in the wrong. When our people committed hostile acts on your side of the line, you hanged or transported them, and we did not complain. Now you threaten us with war for imitating your example. If the officers of Don Carlos had attacked and

destroyed, in an English harbor, a transport having on board Colonel Evans and his troops, avowedly going to assist his enemies, what would your Government have said? . . .

"That you may long enjoy health and happiness is the sincere wish of,

"Dear Sir,

"Your friend and servant,

"PETER AUGUSTUS JAY.

"Admiral WHITE."

An institution known as the Public School Society, of which Mr. Jay had for many years been a trustee, received an annual appropriation from the State for educational purposes. The appropriation was made with the distinct reservation that it should not be used in promulgating the views of any religious sect or organization. The Roman Catholics, in order to possess themselves of a share of this fund, contended that the Public School Society, in violating their trust, had forfeited their right to the benefits of the fund. The Catholics claimed that a *Protestant* Bible was read in the schools of the Public School Society, and that *Protestant* tenets were taught there. The subject excited public attention. Mr. Jay was earnestly importuned to serve in the Assembly to combat the contentions of the Catholics, but he replied that the state of his health obliged him to decline the nomination. At length a Bill was introduced in the Legislature which led to bitter and acrimonious debate—but later it was determined to distribute the fund under the same reservation, so that *Catholics* and *Protestants* might both share in the distribution.

Later still the new system gained so much in popular favor, that the Public School Society, after an existence of fifty years and upwards, was in 1853 dissolved by an Act of the Legislature.

This year (1841), on the 1st of December, the house in Broadway was made cheerful by the marriage of another daughter of Mr. Jay—Anna Maria—to Henry Evelyn Pierrepont.

Mr. Jay had now nearly attained his sixty-sixth year. Of eight children only three remained at home with him, and these were the youngest,—all the others having married. After his death, Peter Augustus married Miss Josephine Pearson, and Susan Matilda married Matthew Clarkson. Elizabeth remained unmarried. All his children survived him but his eldest daughter, Mrs. Prime, whose death has already been recorded.

Occasionally during the summer, Mr. Jay, with his daughters, would take a trip to Saratoga Springs, Philadelphia, or elsewhere. Frequently he would exchange visits with Judge Jones, whose home was at Massapequa, Long Island. In the spring of 1842, taking with him Elizabeth, he went to Newton Falls, Ohio, to visit his daughter Helen Du Bois.

On his return, he writes to his brother William:

" New York, May 7, 1842.

" *Dear William:*

" I have made a visit to Helen, going by way of Buffalo and Lake Erie and returning through Pennsylvania. I found Dr.

Du Bois very much improved in health, and Helen better than when she went to Ohio, though still weak and troubled with pain in her chest.

" The State of Ohio is more improved than I expected. It is full of flourishing villages, and the soil, so far as I saw it, is excellent.

" The State of Pennsylvania, south of the mountains, is also very fertile and extremely well cultivated. North of the Alleghanies and all through Ohio there is an abundance of bituminous coal of excellent quality. It can usually be purchased at the pits for five cents the bushel, and is in very general use even where the trees are burned upon the ground to get rid of them. But in both States they are suffering for want of currency. The banks have resumed specie payments, but have withdrawn their bills from circulation, so that scarcely any money can be obtained except the notes of non-specie banks in Indiana and other States where there has been no resumption and which are at a great discount. I had no difficulty in passing New York money, and though I took gold with me, brought almost all of it back.

" Mr. Giddings was a day and a night in a canal-boat with me on his return to Congress. His election took place while I was at Newton Falls. There was no excitement; the election was over in one day, and was very quiet. The constituents are nearly all opposed to slavery and Southern policy. *You* are quite popular there. . . .

" The journey has improved my health, which for the past six months has been very indifferent. A month later it would have been more agreeable. I made it earlier in order

to have the company of F. Prime, who went with me to the Doctor's, but left us there.

" The Pennsylvania Canal, I am satisfied, cannot rival ours. Nevertheless, their line of Canals and Railroads is a great work, but will never, I think, pay interest on the money it cost.

" Our love to all your family.

" I am, dear William,

" Your affectionate brother,

" PETER AUGUSTUS JAY.

" WILLIAM JAY, Esq.,

" Bedford."

Ten days after the Ashburton Treaty had been signed, a public dinner was given to Lord Ashburton in New York, at which Mr. Jay presided. The invitation to preside was tendered to him by letter and in person:

" NEW YORK, August 25, 1842.

" *Dear Sir:*

" The undersigned, a committee of arrangements, request, as a favor, that you will consent to preside at the public dinner to be given to Lord Ashburton on the 1st of September.

" We will not, and do not, anticipate a refusal. At the same time, we may be allowed to say that there appears to us a peculiar fitness in having the son of that Revolutionary father who signed the first Treaty with Great Britain after our Independence, to preside at the present celebration.

" Great Britain, in order to prove her earnest desire to settle all difficulties between the two countries, has on this

occasion sent a Minister of high rank and advanced age to treat with us at our own capital.

" With great esteem,

" Your obedient servants,

" JAMES LEE,
" WM. B. ASTOR,
" THEODORE SEDGWICK,
" STEPHEN WHITNEY,
" JAMES DE PEYSTER OGDEN,
" JAMES G. KING,
" PROSPER M. WETMORE,
" GEORGE GRISWOLD.

" PETER A. JAY, Esq."

" RYE, Saturday, August 27, 1842.

" *My dear Sister:*

" It was my intention to go to Bedford, . . . but yesterday three gentlemen, Mr. de Peyster Ogden, Mr. Griswold and Mr. Theodore Sedgwick, came up from New York, being sent by the committee of arrangements to request that I would preside at a dinner to be given to Lord Ashburton on Thursday next, and they pressed me so much that I very reluctantly consented.

" As soon as the dinner is over I will come up, and can then spend some days with you.

" I am, my dear sister,

" Your affectionate brother,

" PETER AUGUSTUS JAY.

" Mrs. BANYER."

SPEECH OF LORD ASHBURTON

The dinner took place on Thursday evening, September 1, 1842, at the Astor House, and was one of the most notable gatherings in the history of the city of New York. About two hundred guests attended, whose number included many men distinguished throughout both State and nation. The room was tastefully decorated with flags and draperies, among which were hung banners bearing in large letters the legends, " Great Britain and the United States," " The Treaty," and " Ashburton—Washington—Webster: 1842."

Lord Ashburton was escorted into the room by Mr. Prosper M. Wetmore, and was seated between Mr. Jay (who occupied the chair) and the Rev. Dr. Wainwright. After a toast to " the President of the United States " and to " the Queen of Great Britain and Ireland," Mr. Jay proposed a toast to " Our guest, Lord Ashburton: Happiness and honor to him who has contributed to preserve peace between two great nations."

Lord Ashburton, on rising to speak, was received with great applause. In a felicitous way he referred to the occupant of the chair as " the immediate descendant of a man whose name, as long as honor or virtue or patriotism is prized, will be forever venerated. I mean," he said, " Mr. Jay, who in his day was eminently successful in his mission of peace and conciliation,—a mission, now closed, having the same objects in view, being lately entrusted to me." Lord Ashburton dwelt on the early part of his life, spent in commercial pursuits, and said he had hoped to spend the remainder of it in that quiet and peace which a life of industry had secured for him; but when an opportunity offered to keep in harmony two great countries on the verge of hostilities, this ob-

ject precluded all thoughts of personal comfort. Again alluding to the elder Jay, he added that the task allotted to him was a more arduous task, undertaken as it was under circumstances which rendered the voice of a messenger of peace difficult to be heard; yet, nevertheless, he supported the independence of his country, and at the same time kept it aloof from the great war which was then raging in Europe. In concluding, Lord Ashburton desired to express his homage to that great man, Mr. Webster, who was so largely instrumental in the settlement of the difficulties.

The next toast was " Daniel Webster," Mr. Webster being ill and unable to be present. The toast was responded to by the Hon. David E. Evans. The giant intellect and noble patriotism of the Secretary of State was Mr. Evans's theme.

Other toasts were responded to by Philip Hone, Commodore Perry, James de Peyster Ogden, General Tallmadge, James W. Gerard, Lord John Hay, Robert H. Morris, Mayor of New York, and Thomas C. Grattan.

A letter of regret from John Quincy Adams was read, and after a few remarks by Lord Ashburton expressing the great pleasure he had experienced during the day and evening, the meeting adjourned at twelve o'clock.

Lord Ashburton (formerly Mr. Alexander Baring) was at that time senior member of the great banking house of Baring Brothers and Company of London. Mr. Joshua Bates of Massachusetts was also a prominent member of the firm. Lord Ashburton received many civilities in this country, which no doubt helped to lighten the task that occupied him.

NEW YORK HISTORICAL SOCIETY

In the year 1805 the New York Historical Society was incorporated, with Egbert Benson as its first President. Occupying this office, a goodly array of names follow: Gouverneur Morris, 1816; De Witt Clinton, 1817; David Hosack, 1820; James Kent, 1827; Morgan Lewis, 1832; Peter Gerard Stuyvesant, 1836.

Mr. Jay, who had served as its Vice-President, was made its President, in 1840, in succession to Mr. Stuyvesant, a position which he continued to hold during the remainder of his life.

Previous to Mr. Jay's incumbency the Society had led a somewhat wandering existence, without a permanent home anywhere. In the year following his induction to the presidency he received from Mr. Stuyvesant a letter to which the following was a reply:

"NEW YORK, January 20, 1841.

"*Sir:*

"I have laid before the New York Historical Society your letter containing an offer of two lots of ground for the erection of a fire-proof building for the reception of their books and manuscripts, on condition that they raise funds for that purpose by the 1st May next; and I am now to return you their hearty thanks for this very liberal offer.

"Whether it will be in their power to comply with the condition is uncertain, but in every event they will acknowledge with pleasure the generous and friendly disposition which prompted you to this act of munificence.

" With great respect and esteem,
" I am, in behalf of the Society,
" Your very obedient servant,
" PETER AUGUSTUS JAY,
" President.
" PETER G. STUYVESANT, Esq."

Arrangements were made to enable the Society to comply with the conditions contingent with the gift; a suitable building was erected on the site, which has continued to be the home of the Library for over half a century. It is located at 170 Second Avenue, nearly opposite St. Mark's Episcopal Church.

Mr. Jay's learning and education were recognized by many institutions, and this further testimony of his worth in his selection as the Society's President evoked an earnestness and faithfulness in his administration surpassed by none of his predecessors. He was a large contributor to the Library. His benefactions embraced much curious and most valuable material, including a rare list of newspapers printed long before the Revolution, and which were, probably, an inheritance from his father.

Mr. Jay was always most solicitous touching the objects of the Society. He was desirous that the Association should restrict itself to its specified designation. Everything relative to its historical transactions he would cherish, for he deemed New York the theatre in which the great events of the period of our Colonization and of the War of Independence took place. It is in no wise remarkable, he would say, that

the Library was so rich in newspapers and other periodical journals. A file of newspapers, he thought, was "of far more value to our design than all the Byzantine historians."

The annual Commencement of Columbia College was held in the Middle Dutch Church on Cedar Street on October 4, 1842. The customary exercises were preceded by the inauguration of the President-elect, Nathaniel F. Moore, LL.D. Dr. Moore had received the appointment upon the resignation of President William A. Duer. As Chairman of the Board of Trustees, Mr. Jay delivered the inaugural address, to which Dr. Moore responded. The attendance was much greater than usual; many distinguished persons were present, among them the Governor of the State. The subject of Mr. Jay's address was mainly a vindication of the collegiate course of study in the face of popular objections, while President Moore dwelt upon the responsibilities of the office. Both addresses are reported to have been productions of merit; Mr. Jay's was spoken of at the time as being distinguished for its ability and classic beauty.

At the ensuing meeting of the New York Historical Society, in January, Mr. Jay again received the nomination as President, but other engagements and impaired health obliged him to decline it. The Society then submitted the following resolution, which was unanimously adopted:

"*Resolved*, that the thanks of this Society are due to the Hon. Peter A. Jay, LL.D., its late President, for the dignity, courtesy and impartiality with which he has during the last three years presided over the deliberations of the Society."

In reviewing Mr. Jay's life it may mean little to those of the

present generation to be told that during his professional career he was retained by the District Attorney to assist him in the famous conspiracy trial of Jacob Barker and others; or that he won the " Brick Church suit " in 1826, making an able and ingenious argument; or, yet again, that he was engaged in unravelling the intricacies of the great Jauncey will case in the early thirties. The records of the courts of chancery and of common law, crowded though they are with cases in which he was engaged, furnish but a dim outline and bear but fragmentary testimony to the successes of forty years of active practice. The cases have been won and lost; both plaintiff and defendant have long since gone their way; counsel have been forgotten; only the legal principle enounced by the judge remains imperishable.

Of far more significance for our purpose is it to recall the fact that he fought his battles at the Bar in conjunction with, or in opposition to, such men as Ogden and Duer, Hoffman and Butler; Lansing, Kent and Walworth being upon the " throne of Equity," and Spencer and Jones upon the Bench; that, in addition to banks, insurance companies and other corporations, he numbered among his clients the names of many of New York's most prominent citizens. In the management of estates and as a real-estate lawyer Mr. Jay was also distinguished. It is related by a contemporary that upon one occasion, when in court, the title to a piece of property being in dispute, the lawyer submitted to the Judge that since the title had been drawn by Peter A. Jay, nothing more was necessary—a sentiment warmly endorsed by the Judge, who straightway passed the title.

Gifted with a logical mind and with that subtle perspicacity which is wont to disarm an opponent, Mr. Jay was often able to direct his argument with telling effect. Perhaps no better instance of this could be cited than in an address which he made at the founding of the American Bible Society, where he says:

" Though the diffusion of the Scriptures is the great end of the Institution, yet another blessing will spring from it. Too long have Christians been divided. Sect has been opposed to sect, angry controversy has agitated the Church, misrepresentations have been made and believed, and good men who ought to have loved each other have been kept asunder by prejudices which, in truth, owed their origin to ignorance. . . .

" Do any refuse to join us because we differ from them in the interpretation of the Scriptures? Let them remember that we distribute those Scriptures *without any interpretation.* Is it right to make known the Word of God? Then let them *assist us* in doing so. Are we friends or enemies? If friends, why refuse to do good in our company? Are we enemies? Then are they not commanded *to do good to us?* And if so, will they refuse *to do good with us?* "

It has been seen that Mr. Jay was averse to holding political office, and only yielded at times in that respect out of deference to his friends. To one as closely associated as he was with the leaders of the Federalists, the decline of that party in the beginning of the century and the subsequent bitter partizan strifes rendered political activity distasteful to him. Although preferring the quieter pursuits of his profession, he

occasionally did throw himself into the political whirl, and then, as Judge William W. Van Ness once said in speaking of his bearing in the legislative debates, " he was his father all over again."

In the Constitutional Convention of 1821 Mr. Jay displayed great restraint and consistency of character. It may, indeed, be said that " there were giants in the convention in those days," and no more difficult task was performed than that of the unswerving minority in that body, of whom, with Chancellor Kent and Chief Justice Spencer, Mr. Jay made one in preventing the " ancient landmarks " of the Constitution from being swept away.

But it is not our purpose to review here the achievements of a life spent in the service of State, of Church and of Humanity. No higher tribute to Mr. Jay's character could be paid than that by the Hon. Benjamin D. Silliman when, advanced in years and having earned the title of " Nestor of the Bar," he said of Mr. Jay:

" In the nearly sixty years that I have been at the bar, no man has had a more exalted standing. His great learning and strength of intellect, his masterly reasoning, his wisdom and his pre-eminent moral excellence, combined with his ingrained thorough refinement and dignity as a gentleman, made him a very marked and remarkable jurist and member of society. In every question of ethics or moral right his word was law. I believe that his arguments and written opinions were marked not only by great legal erudition and logical power, but by broad and rare general learning, illustrating the history of the law involved in the case and its application

to the questions involved. Such was the character of his opinions which I have read."

Mr. Jay's two sisters, Mrs. Banyer and Miss Ann Jay, and his brother William survived him.

" The sisters were widely known and as widely honored. They were so much one in all their feelings and efforts, their two lives so blended and flowed on together, that what we might say concerning each would be true of both "—so wrote the Rev. Dr. Cooke of St. Bartholomew's, then in La Fayette Place, the church which the sisters attended. In a memorial sermon Dr. Cooke added: " They were not, however, entirely alike; and if as Christians we were to compare them, for the sake of gaining a nearer view of their characters, with any of the saints whose lives are familiar to us, we should say that the one first called [Ann Jay] had more the characteristics of St. Paul, and the other [Mrs. Banyer] of St. John. Both were noble witnesses for Christ, and the world is darker now that their lights are quenched. Thus lived, and thus almost together died, these two sisters."

Miss Ann Jay's death occurred on Thursday, November 13, 1856, and Mrs. Banyer died on Friday of the next week.

William Jay was a stanch champion of the cause of negro emancipation; his name is indissolubly connected with it. He was also very active in the promotion of many other public and worthy interests, being a lifelong worker in the cause of temperance, and for a number of years a member and President of the Peace Society. " His philanthropy," says his biographer, " was religious in its motive and practical in

its activity." Quoting from a letter of Bishop Coxe, who was a frequent visitor at Bedford in his youth, the same authority writes: "There was much of the Huguenot in the piety of the Judge, but nothing of the Puritan. He was little seen, but greatly felt." For more than twenty-five years he exercised the duties of Judge of Westchester County. Early in life Mr. Jay married Augusta, daughter of John McVickar, a merchant of New York. "She lived to be her husband's sympathetic companion," writes Mr. Tuckerman, the biographer, "until 1856, when he himself was near his end. Her accomplishments added much to the happiness of Jay's life." "Her sweet simplicity and dignity," said the late Bishop Potter, "bespoke a peaceful and elevated spirit, and made an impression on the most transient visitor never to be effaced."

Judge Jay died at Bedford, October 14, 1858.

Peter A. Jay had for many years been connected with the Corporation for the Relief of the Widows and Children of Clergymen, etc. As Treasurer of this Society, and to protect its property, he made a journey to Schenectady in midwinter. The cold was intense, and when it is remembered that the conveniences and protection from the weather which now attend travelling did not then exist, it will be seen that the discomforts must have been great. After an absence of eight days, Mr. Jay returned to the city, apparently well, though owning to fatigue. He met, at a dinner given by Mr. Stuyvesant, many of his friends. On Wednesday, the 15th of February, while writing in his library, a chill came, which was followed by another chill on the next day. He refused

to see a doctor until Friday. Dr. Watts was then sent for, and other medical aid after wards secured. On Saturday he remained in bed. On Sunday he realized his illness, seeming to understand perfectly his condition and the treatment of the doctors. His breathing was labored and occasioned much suffeting, and he asked his daughter Eliza to pray for him. The disease—pneumonia—now made rapid progress. On Monday his strength began to fail. In the afternoon his children gathered around the bed and asked him to say something to them, for he was apparently in possession of all his faculties. With great difficulty, owing to his labored breathing, he replied, " I cannot say much," and after an interval he added, " My children, read your Bible and believe it." A lethargic sleep followed. Later he awoke, sent a kiss to his daughter Helen (Mrs. Du Bois), recognized his sisters, Mrs. Banyer and Miss Ann Jay, and his brother-in-law, Mr. Goodhue, but did not speak again. The Rev. Mr. Balch offered a prayer. Mr. Jay seemed to be listening; with the conclusion of the prayer, his breathing died imperceptibly away.

His death occurred at his residence, No. 398 Broadway, on Monday, February 20, 1843, in the sixty-eighth year of his age.

The funeral services were held in St. John's Chapel, St. John's Park, on the afternoon of the 22d, and the burial took place on the next day in the Jay cemetery at Rye.

The remains were placed in a grave next to that of Mrs. Jay. An obelisk of white marble resting on a stone base, which Mr. Jay caused to be erected on the occasion of his

wife's death, now bears the following commemorative inscriptions:

HERE LIE
THE REMAINS OF
MARY RUTHERFURD JAY,
WIFE OF
PETER AUGUSTUS JAY.
SHE WAS BORN
JULY 2, 1786,
AND DIED
BELOVED, HONORED AND LAMENTED
AND VOID OF FEAR,
DECEMBER 24, 1838,
AT FUNCHAL IN THE
ISLAND OF MADEIRA.

HERE LIE
THE REMAINS OF
PETER AUGUSTUS JAY,
ELDEST SON OF JOHN JAY,
BORN JANUARY 24, 1776,
DIED FEBRUARY 20, 1843.
HE DIED AS HE HAD LIVED,
AN HUMBLE, DEVOTED AND
CONSISTENT CHRISTIAN.
HIS LATEST WORDS WERE,
" MY CHILDREN, READ
THE BIBLE AND
BELIEVE IT."

Peter Augustus Jay had many friends, and the public announcement of his death carried with it much sorrow. The press with great unanimity extolled his virtues and regretted

the loss the community would suffer in his decease. The law courts immediately adjourned after appropriate remarks by the judges.

The proceedings at the Court of General Sessions, over which Mr. Jay had formerly presided as Recorder, were concluded with remarks on the death of Mr. Jay by James R. Whiting, District Attorney of New York, who offered the following resolutions:

"*Resolved*, That this Court have heard with no ordinary feelings of regret of the decease of Peter A. Jay, so long known as one of those occupying the first rank in the legal profession.

"*Resolved*, That Mr. Jay's distinguished position during the early periods of our national and State existence, his uprightness and integrity in private life, his acquirements as a scholar, and his long continuance with honor and credit in the field of public service and as presiding Judge of this County, demand from the Court the expression of their regret for his death, their sympathy with his surviving relatives and their respect for his memory.

"*Resolved*, That the Clerk enter these resolutions on the minutes of this Court, and transmit a copy, duly authenticated, to the family of the deceased."

At the opening of the Superior Court, Chief-Justice Jones addressed the Court as follows:

"Upon the announcement of the death of our estimable friend and brother, Peter A. Jay, I cannot forbear to express my deep sense of the loss we have sustained in his decease.

I have known him most intimately from the earliest period of life, and from that period to the lamented hour of his decease I have ever loved and respected him. The name of Peter A. Jay has ever been associated with all that was lofty and honorable. He was among the most talented, high-minded and purest of men, and one of the most distinguished members of the Bar. He commanded through life the respect, esteem and high regard of all who knew him. He was the lawyer, the scholar and the gentleman."

A meeting of the Bar was called at the Superior Court room on the morning of the 22d of February. A large attendance was present and Ex-Chancellor Kent presided. After a few appropriate and eloquent remarks by the Hon. David B. Ogden, the following resolutions were offered:

" *Resolved*, That we receive with deep regret the communication of the death of our lamented friend and brother, Peter A. Jay, long an esteemed and distinguished member of the New York Bar, and one of its brightest ornaments.

" *Resolved*, That the members of the New York Bar, in common with their fellow citizens, feel that by this melancholy event they have sustained a loss to be deplored and exciting feelings of impressive and abiding interest. The professional and social intercourse of our venerable and highly esteemed brother with the members of the Bench and the Bar, his uniformly ingenuous, just and honorable course in all his relations to them, had endeared him to all who knew him; while the high order of his intellect secured him their admiration and regard. In a long course of professional, and

during the brief but brilliant term of his judicial life, both as a jurist and as a judge his eminent abilities, the simplicity and purity of his character, and the estimable qualities of his heart gained him the warmest affections of his friends and the respect, esteem and confidence of the whole circle of his fellow citizens. In him was seen the dignified, the intellectual and respectful advocate, with the courtesy of the gentleman, and the pure, disinterested friend and adviser. It may be most truly said of him that those who knew him best admired, esteemed and loved him most.

" *Resolved*, That the members of the Bar, as a token of respect for the memory of their deceased friend, will wear the customary badge of mourning for thirty days, and will attend his funeral this afternoon.

" *Resolved*, That a copy of the proceedings of this meeting, signed by the Chairman and Secretary, be transmitted to the family of the deceased and published in the daily papers of this city."

Chancellor Kent then made an impressive address, and upon the passage of the above resolutions the meeting adjourned.

As an accompaniment to what has preceded it, that which is subjoined invites attention as further testimony of Mr. Jay's worth and influence. The following resolutions were passed at a large public meeting of colored citizens, held at Philomathean Hall, on the evening of February 27, " for the purpose of expressing sentiments of condolence with the family and friends of the lamented philanthropist, Peter Augustus Jay ":

" *Resolved*, That in the demise of Peter Augustus Jay, Esq., society has lost an invaluable member, humanity an undeviating advocate, the man of color a firm and tried friend, his country a true patriot and the world a philanthropist.

" *Resolved*, That when we look at the public acts of the late Hon. Peter A. Jay, his sincere and philanthropic maintenance of our political rights, his early and unremitted exertions in the Manumission Society, his interest in our educational and religious advancement, we feel cause of thankfulness to Almighty God for the gift and the life of such a great and good man, such a benefactor of our despised race, such a sincere and impartial republican; and now that he has departed from the scenes of mortal existence, we esteem it a privilege to linger gratefully and mournfully around his fresh-turned sod and breathe our blessing on his honored memory.

" *Resolved*, That we sincerely condole with the family and friends of the lamented Peter Augustus Jay in their severe bereavement, and tender them this humble token of our esteem.

" *Resolved*, That Messrs. Aaron L. Poyer, Boston Crummell and P. A. Bell be a committee to convey to the family of Hon. Peter A. Jay the above resolutions.

(Signed) " Wm. A. Tyson, Chairman,
" Jno. J. Quille, Secretary."

Before closing these memorials of Mr. Jay's life, it seems fitting to add the resolutions passed in the little church at Rye, which for long years he so constantly attended, and whose rector was P. S. Chauncy, a son of Commodore Chauncy.

RESOLUTIONS ON HIS DEATH

At a meeting of the Vestry of Christ Church, Rye, convened, at the request of the Rector, on Wednesday, the 1st of March, 1843, the following resolutions were adopted:

" *Resolved*, That we have heard with unfeigned regret of the death of our venerable and esteemed associate, Hon. Peter Augustus Jay.

" *Resolved*, That while we desire to recognize in this heavy dispensation the hand of God, and to submit to his blessed will, we cannot but express our sense of the loss which has been sustained by this vestry, church and community in the death of one whose example and precepts both tended to the glory of God, the honor of his church and the happiness of mankind.

" *Resolved*, That we will ever entertain the most grateful recollection of the interest manifested by Mr. Jay in the prosperity of our church and the purity of life by which he adorned his Christian profession.

" *Resolved*, That a copy of these proceedings be entered on the minutes of this vestry, and that another copy, signed by the Rector and Secretary, be sent to the family of the deceased.

" P. S. CHAUNCY, Rector.

" JAMES D. HALSTED, Sec'y."

THE LAST WILL AND TESTAMENT

OF

PETER AUGUSTUS JAY,

LATE OF THE CITY OF NEW YORK, DEC'D

I, PETER AUGUSTUS JAY, make this my Last Will and Testament as follows:

First. I return humble and hearty thanks to Almighty God for the happiness I have enjoyed and the numerous blessings which He has bountifully bestowed upon me, but above all for His inestimable love in the Redemption of mankind through our Lord Jesus Christ, and for the means of grace, and for the hope of glory.

I dispose of my worldly estate as follows: I give and devise to my son John Clarkson Jay and his heirs, all my real estate, situated in the town of Rye in the county of Westchester. I give and devise to my son Peter Augustus Jay and his heirs my lot or parcel of land in the city of New York, bounded easterly in front by Broad Street, southerly by Stone Street, northerly by land of my brother William Jay.

I have neither the power nor intention to render the parcels of property above devised inalienable; but there are recollections and circumstances connected with them which make me desirous that they should remain in the family.

The lot in Broad Street was purchased by my great-grandfather

about 1720, and was the first land owned by our family in America. At Rye repose the bones of my ancestors, of my wife and my dear daughter. I earnestly request my sons not to sell or mortgage these lands.

I authorize and empower my brother William Jay to sell and convey in fee my real estate in the county of Broome, and I direct that the proceeds thereof be considered as part of my personal estate and be divided and disposed of accordingly.

I give and devise all the residue of my real estate which I may be seized of or entitled to at the time of my death to such of my children as shall be then living, and to the child or children then living of every child of mine who shall have died before me, as tenants in fee; the child or children of a deceased child of mine taking the same share only as his, her or their parent, if living, would be entitled to.

I give to my son John my brooch or breast-pin containing the hair of General Washington, and to my son Peter Augustus my Spanish fowling-piece and my gold watch.

I give to my excellent brother my sett of the Encyclopædia, and I desire each of my dear sisters to take from my library such and so many books as she shall choose as tokens of my affection.

I direct my debts to be paid out of my personal estate. I give to my son Peter Augustus one thousand dollars.

I give to my daughter Elizabeth three thousand dollars.

I give to my daughter Susan Matilda three thousand dollars.

I give to my son-in-law Henry A. Du Bois one thousand dollars.

I release to my son John the money for which I now hold his promissory notes.

I give to Giles Green, who has been long in my employment and has served me faithfully, if he shall survive me, two hundred and fifty dollars.

I give to Cæsar Valentine, a black man, long a servant in my family, an annuity of forty-eight dollars a year during his life, which annuity I charge upon my estate at Rye, by the owner of which it is

to be paid; and I request my children not to let him suffer if, through age or infirmity, he should be unable to support himself with comfort.

I give and bequeath all the residue of my personal estate to such of my children as shall be living at the time of my death and to the child or children of any child of mine who shall then be dead, the child or children then living of a deceased child of mine taking the same share only which his, her or their parent, if living, would be entitled to.

In consideration of the advances I have already made for my son John and the devise of the Rye estate, I charge his share of my residuary real and personal estate with the sum of twelve thousand dollars, to be paid by him in one year after my decease, and to be divided and disposed of as part of the said residuary personal estate.

I direct that the share of the children of my dear deceased daughter Mary R. Prime in my residuary personal estate be paid to their father, Frederick Prime, to be managed by him for their benefit.

I authorize my executors to lease and demise any part or parts of my undivided residuary real estate for any term or terms of years not exceeding twenty years, at such rents, on such condition as they shall think expedient, and out of the rents and profits thereof to keep the same in repair and to pay the taxes and assessments and the expenses incidental there to, and to divide the rest among the persons entitled to the property, itemized in proportion to their respective interests therein.

I authorize my executors to make partition of my real estate which at the time of my death I may be seized of or entitled to, in common with any other person or persons, and to execute all proper deeds and conveyances for that purpose, and every such partition shall be binding on all persons claiming under me.

I authorize my executors, during the minority of any child of mine, to sell and convey the interest of such child in any part or parts of my real estate, and to pay over the proceeds of such sale to

the guardian of such child for the child's benefit; and such sales may be made at auction or at private sale, for cash or on credit, or partly for cash and partly for credit, as my executors shall think best.

I authorize my son-in-law Frederick Prime to sell and convey the interest of his minor children in any part or parts of my residuary real estate in like manner.

I authorize my brother William Jay to represent any child of mine who shall be under lawful age, for the purpose of making partition of all or any of my residuary estate among the persons entitled thereto, and to make such partition in behalf of such minor children, and to execute proper deeds and conveyances for that purpose.

And I authorize the said Frederick Prime in like manner to represent each of the minor children of my deseased daughter Mary for that like purpose and with the like powers. And every partition so made shall be as effectual and binding on all persons claiming under me as if it had been made by the child or children so represented when of full age. Such partition may be made from time to time of any parts or parcels of my said residuary estate.

I authorize my executors to submit to arbitration or umpirage all claims and demands by or against them, and to perform the awards which shall be made thereon, and also to compromise and compound debts due to my estate, and any claims and demands they may have against others, and to accept less than the whole for the whole, and property or securities of any kind in lieu of money; and also to compromise and compound all claims and demands against my estate or against them as executors and to pay money in discharge thereof.

It is my will and I direct that all the powers and authority herein given and confided to my executors may be executed by such one or more of them as shall duly undertake the execution of this will and the major part of them and the survivors and last survivor of them.

I appoint my daughter Anna Maria Pierrepont guardian of her sisters during their respective minorities, and my son John guardian of his brother during the minority of the latter.

I appoint my sons John Clarkson Jay and Peter Augustus Jay, and my sons-in-law Frederick Prime, William Dawson, Henry A. Du Bois and Henry E. Pierrepont, executors of this will.

I hereby revoke all former wills and testaments by me made, and declare this to be my Last Will and Testament.

In witness whereof, I have hereunto set my hand and seal (the word " neither " over the eighteenth line in the first page being interlined, and word " children " in the seventh line of the third page being obliterated) on the thirteenth day of April, in the year of our Lord one thousand eight hundred and forty-two.

(Signed)
PETER AUGUSTUS JAY. (L.S.)

Subscribed, sealed, published and declared, by the said Peter Augustus Jay as his Last Will and Testament in presence of us, who, in his presence and at his request and in presence of each other, have subscribed our names as witnesses hereto.

(Signed)
FREDERICK DE PEYSTER,
residing at 88 University Place;
JOHN HONE,
residing at 56 Bleecker Street.

NOTES

PAGE 1.

William Livingston, Governor of New Jersey, was the son of Philip and grandson of Robert, the latter the earliest American ancestor of the Livingston family, and both known, respectively, as the first and second Lords of the Manor. Philip, the signer of the Declaration of Independence, was a brother of the Governor, and Robert R. (Judge), the father of Robert R. the Chancellor, and of Edward, author of "The Livingston Code," was the Governor's first cousin. Henry Brockholst Livingston, son of the Governor, was a Judge of the Supreme Court of the United States.

PAGE 5.

Judith (Jay) Van Horne's son, Augustus Van Horne, married her sister Frances (Jay) Van Cortlandt's daughter, Anna Maria Van Cortlandt, and they were the parents of Mrs. Thomas Streatfeild Clarkson and Mrs. Levinus Clarkson.

Mary (Jay) Vallete had children, but no grandchildren.

PAGE 7.

The church referred to,—Trinity Church,—which had been erected after the Revolution and occupied the site of an earlier church, was pulled down in 1839. The present building stands where the former building stood.

PAGE 37.

The character sketch of his grandmother, Mrs. John Jay, by the

late Mr. John Jay, was a contribution to Mrs. Ellet's " Queens of American Society."

PAGE 41.

Dr. Valentine Seaman, Mr. Jay's companion in travel, was a surgeon of the New York Hospital. He served the institution twenty-one years, and died in office in 1817.

PAGE 60.

Mr. Peter A. Jay's *maternal* grandmother, Mrs. William Livingston, and Mrs. Jay's *paternal* grandmother, Mrs. David Clarkson, were daughters of Philip French.

PAGE 60.

Mrs. Peter A. Jay (Mary Rutherfurd Clarkson) was the only child by the earlier marriage of her father, General Matthew Clarkson.

By his later marriage with Miss Sally Cornell (February 14, 1792), a daughter of the late Samuel Cornell, Esq. (one of his Majesty's Council for the Province of North Carolina), Mr. Clarkson had seven children: Elizabeth, died unmarried; Catherine Rutherfurd, married Jonathan Goodhue and had issue; David, married his first cousin, Elizabeth Streatfeild Clarkson, and had issue; Matthew, married his second cousin, Catherine Elizabeth Clarkson, and had issue; William Bayard, married Adelaide Livingston and had issue; Susan Maria, married James Ferguson de Peyster and had issue; and Sarah Cornell, married Rev. William Richmond, no issue.

PAGE 72.

See " Cases of Contested Elections in Congress ": Case XXXVI, Blydenberg and Jay *vs.* Sage and Lefferts of N. Y.

PAGE 72.

The elder Banyer wrote his name Goldsbrow Banyar; his son, having the same name, changed the spelling to Goldsborough Banyer.

NOTES

PAGE 80.

Mary Duyckinck, the wife of Peter Jay (blind), was a daughter of Evert Duyckinck and Elsie Hardenbroeck. Margaretta Hardenbroeck (probably a relative of Elsie) was the first wife of Frederick Philipse; he subsequently married Catharine Van Cortlandt, and his daughter, or adopted daughter, Eva, was the grandmother of Peter Jay (blind). This is suggestive, perhaps, of the way Mr. Peter Jay made the acquaintance of the lady he afterwards married.

Elsie Duyckinck was a sister of Mrs. Peter Jay. Elsie had married John Dunscomb, and their daughter, Euphemia Dunscomb, was the second wife of Frederick Jay, a brother of the above Peter Jay.

A grandnephew of Mrs. Peter Jay, Richard B. Duyckinck, married Eliza H. Cornell; and her brother, Isaac R. Cornell, married Elizabeth M. Duyckinck, a sister of the above Richard B. Duyckinck. A brother and sister married a brother and sister.

To a daughter of Mr. and Mrs. Richard B. Duyckinck has descended a silver tea-service (P. and M. J.), described as very handsome, which belonged to Peter and Mary Jay; and the Rev. John Cornell of the Episcopal Church, a son of the above Mr. and Mrs. Isaac R. Cornell, is the inheritor of a portrait of Mrs. Peter Jay.

PAGE 106.

The members of one of the orders of the Tammany Society in New York wore the tails of deer in their hats on certain occasions. They were called "Bucktails" by friends of Governor Clinton, which term was later applied to all Anti-Clintonians in the State.

PAGE 112.

Mrs. Henry White (Eva Van Cortlandt) was born May 22, 1736, and died August 19, 1836, at the great age of one hundred years, two months and twenty-eight days. On May 13, 1761, she was married to Mr. Henry White, one of the most prominent mer-

chants of New York, and at one time President of its Chamber of Commerce. In 1769 he was appointed one of His Majesty's Council for the Province of New York. He returned to England in 1783, before the Evacuation; died in London, December 23, 1786; and was buried in the churchyard at St. James's, Westminster, Piccadilly. His widow subsequently took up her residence again in New York.

They had four sons and three daughters: Henry; Sir John Chambers White, an Admiral in the British Navy; Frederick Cortlandt White, a General in the British Army; William White; Ann, married Sir John MacNamara Hayes, Bart.; Margaret, married Peter Jay Munro; and Frances, married Archibald Bruce, M.D.

The eldest son, Henry White, married his cousin Anne Van Cortlandt, and their sons, Augustus and Henry, assumed the name of Van Cortlandt and successively inherited the Yonkers Estate. The other children of Mr. and Mrs. Henry White were: Helen, married Abraham Schermerhorn; Catherine, married Richard Bayley; Francina, married Dr. Groshong; Harriet, unmarried; and Augusta, married Dr. E. N. Bibby: and to the eldest son of these latter, Augustus Bibby, who assumed the Van Cortlandt name, the Yonkers Estate descended upon the decease of the above Henry (White) Van Cortlandt.

PAGE 175.

The sons of Mr. Peter Jay Munro were Peter Jay, died young; Peter Jay, died unmarried; Henry, married Ann Margaret Bayley and had issue; John White, married Frances Augusta, daughter of Dr. E. N. Bibby and widow of Thomas James de Lancey, had no issue.

UNIVERSAL
LIBRARY
125 321
UNIVERSAL
LIBRARY